

NOVEMBER 12, 2009

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, November 12, 2009, in the Council Chambers at the City Hall Annex Building located at 680 Park Avenue in Idaho Falls, Idaho at 7:30 p.m.

There were present:

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

Absent was:

Councilmember Thomas Hally
Councilmember Ken Taylor

Also present:

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

Mayor Fuhriman requested Boy Scout Troop 373 to lead those present in the Pledge of Allegiance.

Mayor Fuhriman requested representatives from the Mayor's Youth Advisory Council to come forward to report to the City Council. Lucas Freiburg (Idaho Falls High School), Spencer Brasher (Idaho Falls High School), and Edward Lopez (Skyline High School) appeared to state that MYAC is preparing for the annual New Year's Eve Dance to be held at Idaho Falls High School. The chosen theme for the dance is "Tick Tock". This dance has become increasingly popular as it is a safe place for teenagers to spend the New Year's Eve Holiday.

Mayor Fuhriman requested Shayla Meek, Parker Erickson, and Dakota Baker from Taylorview Elementary School to come forward to make a presentation to the City Council. They presented a proposal for a safe walking bridge across the canal from Grassland Drive to Kinswood Drive. The existing bridge is not meant for, nor safe for children to cross, however, the bridge is where they are crossing the canal. There is no legal access from the neighborhoods to this ramp. The only access to this crossing is through an empty lot. On the other hand, access to the proposed new bridge site is already paved and safe. The existing access walkway to the proposed bridge from Grassland Drive to the bridge site is existing. Although planned and intended to lead to a bridge, the completed walkway dead-ends at the canal. This project should be finished. The petition reads as follows:

I support the proposed plan to build a safe walking bridge crossing the canal from Grassland Drive to Kinswood Street. I want our children to have safe passage across the canal:

<u>Print Name</u>	<u>Signature</u>	<u>Address</u>
Lynnette Meek	s/ Lynnette Meek	3591 Summerfield Drive
Mardell Burton	s/ Mardell Burton	890 Summerfield Circle
Paul Johnson	s/ Paul Johnson	865 Summerfield Drive
Pam Sorensen	s/ Pam Sorensen	885 Summerfield Drive

NOVEMBER 12, 2009

<u>Print Name</u>	<u>Signature</u>	<u>Address</u>
Brady Burton	s/ Brady Burton	890 Summerfield Drive
Rachel Borkowski	s/ Rachel Borkowski	915 Summerfield Drive
Jeff Borkowski	s/ Jeff Borkowski	915 Summerfield Drive
Tammie Wood	s/ Tammie Wood	945 Dairy Lane
Monte LaOrange	s/ Monte LaOrange	940 Dairy Lane
Tiffany Coughenour	s/ Tiffany Coughenour	3520 Springfield Circle
Fred L. Blair	s/ Fred L. Blair	3550 Springfield Lane
Linda Halter	s/ Linda Halter	3570 Springfield Lane
Cindy Garner	s/ Cindy Garner	3580 Springfield Circle
Anita Gianotto	s/ Anita Granotto	3555 Springfield Circle
David Gianotto	s/ David Gianotto	3555 Springfield Circle
Terry Olsen	s/ Terry Olsen	3525 Springfield Lane
Diane Fuger	s/ Diane Fuger	3461 Dairy Lane
Jon Maughan	s/ John Maughan	3525 Dairy Lane
Todd Wood	s/ Todd Wood	3560 Dairy Lane
Jeff Yearguen	s/ Todd Yearguen	3551 Dairy Lane
Hilary Burgoyne	s/ Hilary Burgoyne	3583 Dairy Lane
Matt Burgoyne	s/ Matt Burgoyne	3583 Dairy Lane
Kim Johnson	s/ Kim Johnson	3588 Dairy Lane
Candice Morgan	s/ Candice Morgan	3557 Dairy Lane
Becky Taggart	s/ Becky Taggart	870 Summerfield Lane
KaDee Hammond-Gomez	s/ KaDee Hammon-Gomez	926 Summerfield Drive
Lee Birkinbine	s/ Lee Birkinbine	3450 Summerfield Drive
Michael Fullmer	s/ Michael Fullmer	3460 Summerfield Drive
Karen Fullmer	s/ Karen Fullmer	3460 Summerfield Drive
Lori Cottle	s/ Lori Cottle	910 Windrow Circle
Peter J. Kinne	s/ Peter J. Kinne	900 Windrow Circle
Kaye Ryman	s/ Kaye Ryman	860 Windrow Circle
Victor Lee	s/ Victor Lee	855 Windrow Circle
Colton Lee	s/ Colton Lee	855 Windrow Circle
Kathy H. Wells	s/ Kathy H. Wells	875 Windrow Circle
Kurt Fritz	s/ Kurt Fritz	885 Windrow Circle
Janae Johnson	s/ Janae Johnson	3545 Summerfield Drive
John Carpenter	s/ John Carpenter	1184 Arrow Point Circle
Alison Carpenter	s/ Alison Carpenter	1184 Arrow Point Circle
Ken Carroll	s/ Ken Carroll	1168 Arrow Point Circle
Debbie Carroll	s/ Debbie Carroll	1168 Arrow Point Circle
Shawn Bills	s/ Shawn Bills	3840 Shadow Mountain Trail
Vicki Torres	s/ Vicki Torres	1150 Arrow Point Lane
Ryan Johnson	s/ Ryan Johnson	1132 Arrow Point Circle
Dawn Wolf	s/ Dawn Wolf	1132 Arrow Point Circle
Susan Hansen	s/ Susan Hansen	1135 Arrow Point Circle
Brett Parson	s/ Brett Parson	1163 Arrow Point Circle
Teresa Clapp	s/ Teresa Clapp	1179 Arrow Point Circle
Michael Clapp	s/ Michael L. Clapp	1179 Arrow Point Circle
Julie Wright	s/ Julie Wright	1187 Arrow Point Circle
A. Alan Cole	s/ A. Alan Cole	1195 Arrow Point Circle
Tami L. Cole	s/ Tami L. Cole	1195 Arrow Point Circle
Emily Milton	s/ Emily Milton	1253 Arrow Point Lane
Nelson Milton	s/ Nelson Milton	1253 Arrow Point Lane
Bonnie Janke	s/ Bonnie Janke	1250 Arrow Point Lane
Amy M. Lords	s/ Amy M. Lords	1250 Arrow Point Lane
Rick Lords	s/ Rick Lords	1250 Arrow Point Lane
Everado Nunez	s/ Everado Nunez	1230 Arrow Point Lane
Shayne Schumacher	s/ Shayne Schumacher	1214 Arrow Point Lane
Bobie Schumacher	s/ Bobie Schumacher	1214 Arrow Point Lane
Douglas Doorman	s/ Douglas Doorman	1200 Arrow Point Lane
Karen Doorman	s/ Karen Doorman	1200 Arrow Point Lane
Steve Hansen	s/ Steve Hansen	1135 Arrow Point Lane
Steve Wright	s/ Steve Wright	1187 Arrow Point Lane
Skyllette Hawkes	s/ Skyllette Hawkes	3889 Colts Glen Lane
Amy Grider	s/ Amy Grider	3860 Colts Glen Lane
Andrea Harris	s/ Andrea Harris	1012 Oxbow Lane
Amber Cragun	s/ Amber Cragun	3886 Colts Glen Lane
Ryan Willis Cragun	s/ Ryan Willis Cragun	2886 Colts Glen Lane
Jason Hawkes	s/ Jason Hawkes	3889 Colts Glen Lane
Charles Harris	s/ Charles Harris	1012 Oxbow Lane

NOVEMBER 12, 2009

Print Name	Signature	Address
Josh Schroeder	s/ Josh Schroeder	965 Oxbow Lane
Jason Grider	s/ Jason Grider	3860 Colts Glen Lane
Mike Shirley	s/ Mike Shirley	925 Oxbow Lane
Hilary Shirley	s/ Hilary Shirley	925 Oxbow Lane
Heather Schroeder	s/ Heather Schroeder	965 Oxbow Lane
Betty Peterson	s/ Betty Peterson	937 Oxbow Lane
A. Jerry Peterson	s/ A. Jerry Peterson	937 Oxbow Lane
Jeff Freiberg	s/ Jeff Freiberg	946 Oxbow Lane
Celeste Freiberg	s/ Celeste Freiberg	946 Oxbow Lane
Amber Foster	s/ Amber Foster	1030 Oxbow Lane
Doug Hulett	s/ Doug Hulett	1047 Oxbow Lane
Dan Barkow	s/ Dan Barkow	3745 Colts Glen Lane
Elisa Barkow	s/ Elisa Barkow	3745 Colts Glen Lane
Clint McCord	s/ Clint McCord	1063 Oxbow Lane
Tammi McCord	s/ Tammi McCord	1063 Oxbow Lane
Heather Chapple	s/ Heather Chapple	3785 Colts Glen Lane
Jon Petersen	s/ Jon Petersen	983 Oxbow Lane
Angela Christensen	s/ Angela Christensen	951 Oxbow Lane
Colby Christensen	s/ Colby Christensen	951 Oxbow Lane
Jill C. Burton	s/ Jill C. Burton	1051 Grassland Drive
D. Brian Burton	s/ D. Brian Burton	1014 Grassland Drive
Christine Neider	s/ Christine Neider	985 Grassland Drive
Jenilyn Griffin	s/ Jenilyn Griffin	3385 Grove Lane
Emily DeVries	s/ Emily DeVries	983 Grassland Drive
Greg DeVries	s/ Greg DeVries	983 Grassland Drive
Breanna Kump	s/ Breanna Kump	993 Grassland Drive
Kristi McIntire	s/ Kristi McIntire	982 Grassland Drive
Pamela Merkley	s/ Pamela Merkley	974 Grassland Drive
Kristen Condie	s/ Kristen Condie	945 Grassland Drive
Tim Condie	s/ Tim Condie	945 Grassland Drive
Trevor Bluth	s/ Trevor Bluth	975 Grassland Drive
Heather P. Bluth	s/ Heather P. Bluth	975 Grassland Drive
June White	s/ June White	990 Grassland Drive
Don Meacham	s/ Don Meacham	1026 Grassland Drive
Wendy Meacham	s/ Wendy Meacham	1026 Grassland Drive
Lyndsey Hall	s/ Lyndsey Hall	1045 Grassland Drive
Sherry Trejo	s/ Sherry Trejo	1101 Grassland Drive
Janet Horder	s/ Janet Horder	997 Grassland Drive
Bryan Kump	s/ Bryan Kump	993 Grassland Drive
Carren Dresen	s/ Carren Dresen	989 Grassland Drive
Elaine Lewis	s/ Elaine Lewis	1171 Grassland Drive
S. Jay Lewis	s/ S. Jay Lewis	1171 Grassland Drive
Mary McKnight	s/ Mary McKnight	1189 Grassland Drive
Chuck McKnight	s/ Chuck McKnight	1189 Grassland Drive
Denise Weight	s/ Denise Weight	1243 Grassland Drive
Mark Weight	s/ Mark Weight	1243 Grassland Drive
Elizabeth Willis	s/ Elizabeth Willis	1240 Grassland Drive
Rob Willis	s/ Rob Willis	1240 Grassland Drive
Lori Thompson	s/ Lori Thompson	1204 Grassland Drive
Francois Thompson	s/ Francois Thompson	1204 Grassland Drive
Brenda Landes	s/ Brenda Landes	1190 Grassland Drive
Veronica Saenz	s/ Veronica Saenz	1170 Grassland Drive
Also Saenz	s/ Aldo Saenz	1170 Grassland Drive
Clarence Harrison	s/ Clarence Harrison	1156 Grassland Drive
Amber M. Layton	s/ Amber Layton	4011 Shadow Mountain Trail
Mike and Brenda Cullimore	s/ Mike and Brenda Cullimore	4035 Shadow Mountain Trail
Brad Couch	s/ Brad Couch	4061 Shadow Mountain Trail
Roz Couch	s/ Roz Couch	4061 Shadow Mountain Trail
Hailey Archibald	s/ Hailey Archibald	4060 Shadow Mountain Trail
Greg Archibald	s/ Greg Archibald	4060 Shadow Mountain Trail
Heidi and David Rice	s/ Heidi and David Rice	4054 Shadow Mountain Trail
Amanda Robison	s/ Amanda Robison	4034 Shadow Mountain Trail
Suzy Smith	s/ Suzy Smith	1157 Grassland Drive
Eric Cannon	s/ Eric Cannon	1313 Pebblecreek Court
Kathy Erikson	s/ Kathy Erikson	1274 Pebblecreek Court
Todd Erikson	s/ Todd Erikson	1274 Pebblecreek Court
Larry Wright	s/ Larry Wright	1273 Pebblecreek Court

NOVEMBER 12, 2009

<u>Print Name</u>	<u>Signature</u>	<u>Address</u>
Jan Wright	s/ Jan Wright	1273 Pebblecreek Court
Terri Dekruger	s/ Terri Dekruger	1285 Pebblecreek Court
Brett Dekruger	s/ Brett Dekruger	1285 Pebblecreek Court
Jon Ward	s/ Jon Ward	3612 Creekside Drive
R. Fairchild	s/ R. Fairchild	1306 Pebblecreek Court
Marisa Roberts	s/ Marisa Roberts	1278 Pebblecreek Court
Jacob Roberts	s/ Jacob Roberts	1278 Pebblecreek Court
Pam Cunningham	s/ Pam Cunningham	3609 Creekside Drive
Jon Hyland	s/ Jon Hyland	3609 Creekside Drive
Pat McCloskey	s/ Pat McCloskey	3561 Creekside Drive
Jamel Nounna	s/ Jamel Nounna	3515 Creekside Drive
Chris Lowe	s/ Chris Lowe	3451 Creekside Drive
Justin Vaalemoen	s/ Justin Vaalemoen	3351 Creekside Drive
Amy Vaalemoen	s/ Amy Vaalemoen	3351 Creekside Drive
Lynne Robison	s/ Lynne Robison	1307 Creekside Court
Gary Stewart	s/ Gary Stewart	1281 Creekside Court
Dale Robbins	s/ Dale Robbins	210 North Placer
Dan Andreason	s/ Dan Andreason	1276 Creekside Court
Ethan Mabe	s/ Ethan Mabe	1299 Sand Creek
Brad Ball	s/ Brad Ball	3264 Disney
Jeff Schow	s/ Jeff Schow	1283 Sand Creek
Mike Groberg	s/ Mike Groberg	540 Castlerock Lane
Richard Groberg	s/ Richard Groberg	620 Castlerock Lane
Terry and Lisa Baker	s/ Lisa K. Baker	715 Castlerock Lane
Michael and Jamie Elison	s/ Michael Elison	655 Castlerock lane
John and Allison Chambers	s/ Allison Chambers	710 Castlerock Lane
Bill and Trish Combo	s/ Trish Combo	760 Castlerock Lane
Dave and Tori Hansen	s/ Tori Hansen	3975 Briarwood Circle
Mark and Chris nelson	s/ Mark Nelson	4053 South Holmes Avenue
Bart and Nicole Morrison	s/ Nicole Morrison	3804 Kinsman Lane
Lana and Adam Cleverly	s/ Lana Cleverly	3630 Grove
Sharon Turley	s/ Sharon Turley	840 Kinswood
Dance and Darlene Stoker	s/ Darlene Stoker	3750 Briarwood
Tory and Brenda Watkins	s/ Tory Watkins	3759 Briarwood Circle
Cary and Kelly Ellis	s/ Kelly Ellis	3792 Briarwood Circle
John Strobel	s/ John Strobel	615 Castlerock Lane
Elizabeth Cach	s/ Elizabeth Cach	790 Castlerock Lane
Larry Moran	s/ Larry Moran	795 Castlerock Lane
Meggan Nield	s/ Meggan Nield	3775 Spring Creek
Lori Stewart	s/ Lori Stewart	1281 Creekside Court
Vicki Andreason	s/ Vicki Andreason	1276 Creekside Court
Karole Wilson	s/ Karole Wilson	3775 Creekside Drive
Glenn Wilson	s/ Glenn Wilson	3775 Creekside Drive
Kip Nield	s/ Kip Nield	2775 Spring Creek
Connie Mincher	s/ Connie Mincher	3795 Spring Creek
Jay Mincher	s/ Jay Mincher	3795 Spring Creek
Joe Mortensen	s/ Joe Mortensen	3805 Spring Creek
LaRue Mortensen	s/ LaRue Mortensen	3805 Spring Creek
Robin Piet	s/ Robin Piet	173 Springwood Lane
Brian Christenson	s/ Brian Christenson	3544 Summit Run Trail
Stacey Christenson	s/ Stacey Christensen	3544 Summit Run Trail
Deanna Baird	s/ Deanna Baird	3462 Summit Run Trail
Tiffany Stolworthy	s/ Tiffany Stolworthy	3590 Summit Run Trail
Tiffany Bodily	s/ Tiffany Bodily	3521 Chimney Peak
Michele Kawamura	s/ Michele Kawamura	3486 Chimney Peak
Lauren Bennion	s/ Lauren Bennion	3486 Chimney Peak
Tracy Rivera	s/ Tracy Rivera	1250 Sand Creek
Michelle and Matt Elison	s/ Michelle Elison	4025 Otter Trail
Haley and Heath Gordon	s/ Haley Gordon	3741 Otter Trail
Jillian and Todd Sleight	s/ J. Sleight	3753 Otter Trail
Jennie and Adam Cromwell	s/ Jennie Cromwell	3925 Otter Trail
Melissa Meyers	s/ M Meyers	3954 Otter Trail
Kim Look	s/ Kim Look	1239 Cabin Cove
Matt Look	s/ Matt Look	1239 Cabin Cove
Kim Conder	s/ Kim Conder	1205 Cabin Cove
Debbie Bailey	s/ Debbie Bailey	1176 Cabin Cove
Steve Bailey	s/Steve Bailey	1176 Cabin Cove

NOVEMBER 12, 2009

<u>Print Name</u>	<u>Signature</u>	<u>Address</u>
Sapphire Watts	s/ Sapphire Watts	1191 Cabin Cove
Denisia Williamson	s/ Danisia Williamson	1175 Cabin Cove
Laurie Rasmussen	s/ Laurie Rasmussen	1165 Cabin Cove
Robin Buckmaster	s/ Robin Buckmaster	1190 Cabin Cove
Brad Snedden	s/ Brad Snedden	3480 Dairy Lane
Melanie Snedden	s/ Melanie Snedden	3480 Dairy Lane
Stacey Maughan	s/ Stacey Maughan	3525 Dairy Lane
Robert V. Nord	s/ Robert V. Nord	960 Dairy Lane
Barbara Nord	s/ Barbara Nord	960 Dairy Lane
Alan Summers	s/ Alan Summers	3500 Springfield Circle
Jim Barnes	s/ Jim Barnes	965 Dairy Lane
Pam Barnes	s/ Pam Barnes	965 Dairy Lane
Michael Bush	s/ Michael Bush	3530 Dairy Lane
Beverlee Olsen	s/ Beverlee Olsen	3497 Dairy Lane
Rand K. Olsen	s/ Rand K. Olsen	3497 Dairy Lane
Richard Lee	s/ Richard Lee	3385 Springfield Circle
Marilyn Anderson	s/ Marilyn Anderson	2386 Brookcliff
Rodney Anderson	s/ Rodney Anderson	2386 Brookcliff

Mayor Fuhriman explained that this shows that no matter how old you are, you can make a difference. He explained, further, that money has not been budgeted in this fiscal year to be able to construct a bridge at this location. Due to the support given to this project from the youth, as well as from the neighborhood, the City Council will revisit the construction of this bridge. The Mayor also committed to keep Shayla, Parker, and Dakota informed as to the progress being made on this bridge. He also thanked them for their service to the community.

Councilmember Parry stated that this could provide a positive outcome for further construction of bridges in the City.

CONSENT AGENDA ITEMS

Mayor Fuhriman requested City Council confirmation for the Appointment of Lindsey Huntsman to serve on the Accessibility Commission (Term to Expire in December, 2012); the Appointment of Dean Nielson to the Accessibility Commission (Term to Expire in December, 2011); the Appointment of Matt Queen to serve on the Accessibility Commission (Term to Expire in December, 2011); the Appointment of Sheila Olsen to serve on the Accessibility Commission (Term to Expire in December, 2010); the Appointment of Dwight Whittaker to serve on the Accessibility Commission (Term to Expire in December, 2011); the Appointment of Heidi Gainan to serve on the Accessibility Commission (Term to Expire in December, 2012); and, the Appointment of Betty Frechette to serve on the Accessibility Commission (Term to Expire in December, 2010).

The City Clerk requested approval of the minutes from the October 20, 2009 Council Work Session, the October 22, 2009 Regular Council Meeting, the November 6, 2009 Council Work Session and Executive Session, the November 9, 2009 Canvass of Vote for the 2009 General Municipal Election, and the November 9, 2009 Council Work Session.

The City Clerk presented monthly reports from various Division and Department Heads and requested that they be accepted and placed on file in the City Clerk's Office.

The City Clerk presented the following Expenditure Summary dated October 1, 2009 through October 31, 2009, after having been audited by the Fiscal Committee and paid by the Controller:

NOVEMBER 12, 2009

FUND	TOTAL EXPENDITURE
General Fund	\$ 1,225,900.27
Street Fund	88,941.30
Recreation Fund	27,976.58
Library Fund	68,509.98
Municipal Equipment Replacement Fund	241,477.30
Electric Light Public Purpose Fund	46,260.75
Business Improvement District Fund	11,400.00
Golf Fund	81,090.84
Municipal Capital Improvement Fund	25,742.55
Street Capital Improvement Fund	778,309.12
Bridge and Arterial Street Fund	18,943.40
Water Capital Improvement Fund	7,171.64
Surface Drainage Fund	15,828.50
Traffic Light Capital Improvement Fund	120,643.35
Airport Fund	380,571.41
Water and Sewer Fund	1,024,998.84
Sanitation Fund	9,973.06
Ambulance Fund	11,961.30
Electric Light Fund	3,646,722.70
Payroll Liability Fund	2,486,151.02
TOTALS	\$10,318,573.91

The City Clerk presented several license applications, including BEER Licenses to Boozer Quick Stop, Bubba's Bar-B-Que Restaurant, Buck's, Charlotte's Webb, Diamond Concessions, Eagle's Lodge, Flying J Convenience Store, Garcia's Meat Market, Get-N-Go Convenience Store, Hard Hat Steakhouse and Grill (Transfer Only), Holiday Oil, Idaho Brewing Company, K C's Food Mart-J S C Enterprises, La Hidalguense, Las Pulgas Cantina and Dance Hall, Leo's Place, Maverik Country Store (Woodruff Avenue), Maverik Country Store (Broadway), Pachangas Mexican Food, Pancheri Shell, Puerto Vallarta Inc. Al Di, Roadrunner Pit Stop, Seventeenth Street Gas and Wash, Skyline Lanes, Taqueria Paula's, Tobacco Connection (Utah Avenue), Walgreen's (Seventeenth Street), Walgreen's (First Street), Wasabi Japanese Restaurant and Sushi Bar, and Winco Foods, 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 November 12, 2009.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
November 9, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: CONSENT AGENDA - WESTSIDE SUBSTATION, CHANGE ORDER NO. 1

Attached is the final Change Order for the Westside Substation Project for \$37,030.88 and an adjustment to the contract completion date to November 15, 2009.

NOVEMBER 12, 2009

Idaho Falls Power respectfully requests Council approve this Change Order and authorize the Mayor to sign the document.

s/ S. Craig Lords

The Parks and Recreation Director submitted the following memo:

City of Idaho Falls
November 12, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: RYDER PARK PHASE I – CHANGE ORDER NO. 1

Attached for your consideration is Change Order No. 1 for the Ryder Park Phase I Project. The Change Order, in the amount of \$49,003.92, is the result of encountering lava rock on the project site. The Change Order has been reviewed and approved by Pierson Land Works, Project Consultant.

The Parks and Recreation Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said Change Order.

s/ David J. Christiansen

The Public Works Director submitted the following memo:

City of Idaho Falls
November 3, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – WELL NOS. 11 AND 14
REHABILITATION

Public Works requests authorization to advertise to receive bids for Well Nos. 11 and 14 Rehabilitation.

s/ Chad Stanger

It was moved by Councilmember Hardcastle, seconded by Councilmember Lehto, that the Consent Agenda be approved in accordance with the recommendations presented. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lehto

NOVEMBER 12, 2009

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The Airport Director submitted the following memos:

City of Idaho Falls
October 27, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Len Nelson, Airport Director
SUBJECT: PROFESSIONAL SERVICES – EVOLUTION DESIGN

Council may wish to authorize the Mayor to sign a Professional Services Agreement between the City of Idaho Falls and Evolution Design, Inc., for Environmental and Graphic Design Services at the Idaho Falls Regional Airport. The amount to be approved is \$10,200.00 plus reimbursable costs for the Scope of Services outlined in the contract.

s/ Len Nelson

It was moved by Councilmember Cornwell, seconded by Councilmember Parry, to approve the Professional Services Agreement between the City of Idaho Falls and Evolution Design, Inc. for Environmental and Graphic Design Services at the Idaho Falls Regional Airport in the amount of \$10,200.00 plus reimbursable costs for the Scope of Services outlined in the contract and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

City of Idaho Falls
October 26, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Len Nelson, Airport Director
SUBJECT: LANDLORD'S ESTOPPEL CERTIFICATE

Enclosed is the Landlord's Estoppel Certificate by and between the City of Idaho Falls (Lessor) and Brian F. McColl (Lessee) to and for the benefit of U. S. Bank.

NOVEMBER 12, 2009

The following document was prepared as instructed by Dale Storer, City of Idaho Falls Attorney.

The Airport Division recommends approval and requests the Mayor be authorized to execute the documents.

s/ Len Nelson

It was moved by Councilmember Cornwell, seconded by Councilmember Parry, to approve the Landlord's Estoppel Certificate by and between the City of Idaho Falls (Lessor) and Brian F. McColl (Lessee) to and for the benefit of U. S. Bank and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

The Human Resources Director submitted the following memo:

City of Idaho Falls
October 26, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Brian Sagendorf, Director of Human Resources
SUBJECT: COBRA SERVICE PROVIDER - AMERICAN INSURANCE SERVICE

It is respectfully requested the Council approve the establishment of American Insurance Service as the City's COBRA Service Provider and authorize the Mayor to sign the related Service Agreement. Attached for your consideration is the Service Agreement which has been reviewed by legal counsel. The selection of a Service Provider will improve the efficiency of COBRA administration and reduce liability to the City by assisting with compliance requirements of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), the Health Insurance Portability and Accountability Act of 1996 (HIPAA), and any amendments thereto.

s/ Brian J. Sagendorf

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve the establishment of American Insurance Service as the City's COBRA Service Provider and, further, give authorization for the Mayor to execute the related Service Agreement. Roll call as follows:

NOVEMBER 12, 2009

Aye: Councilmember Hardcastle
Councilmember Lehto
Councilmember Cornwell
Councilmember Parry

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
November 9, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jo Elg, Assistant Idaho Falls Power Director
SUBJECT: CONFIRMATION AGREEMENT WITH CARGILL

Attached for your consideration is a Confirmation Agreement to purchase power from Cargill for December 2009. The Agreement is for 10 megawatts on-peak at \$43.25 per megawatt hour. The total cost is \$179,920.00.

Idaho Falls Power respectfully requests ratification of the Confirmation Agreement.

s/ Jo Elg

It was moved by Councilmember Lehto, seconded by Councilmember Cornwell, to ratify the Confirmation Agreement with Cargill to purchase 10 megawatts on-peak power at \$43.25 per megawatt hour for a total cost of \$179,920.00. Roll call as follows:

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
November 9, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jackie Flowers, Idaho Falls Power Director
SUBJECT: APPROVE CONTRACT WITH BEA FOR FIBER OPTIC ACCESS

NOVEMBER 12, 2009

Battelle Energy Alliance, LLC (BEA), is a customer of the City's fiber optic network, Circa, leasing two pairs of (dark) fiber to provide high speed connectivity to six BEA facilities throughout town. They have been a dark fiber optic customer since 2005.

Historically, their service has been handled under a one-year contract. BEA has approached Idaho Falls Power staff to request a five-year contract to facilitate administrative processes. The attached contract does include an opener for a "rate adjustment" should any changes to the lease pair fee be made during the term of this contract. The City Attorney has reviewed the contract.

Staff respectfully requests City Council approve the contract and authorize the Mayor to execute the document.

s/ Jackie Flowers

Councilmember Lehto stated that he would not participate in any discussion or decision in this matter.

It was moved by Councilmember Cornwell, seconded by Councilmember Hardcastle, to approve the Five-Year Contract with Batelle Energy Alliance, LLC (BEA) to lease two pairs of dark fiber to provide high speed connectivity to six BEA facilities throughout Idaho Falls and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Parry
Councilmember Hardcastle
Councilmember Cornwell

Nay: None

Abstain: Councilmember Lehto

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
November 3, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-10-02, ROAD SALT

Attached for your consideration is the tabulation for Bid IF-10-02, Road Salt.

It is the recommendation of Municipal Services to accept the low bid of Crapo, Ltd. to furnish the required road salt, for an amount of \$39.95 per ton.

s/ S. Craig Lords

NOVEMBER 12, 2009

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to accept the low bid of Crapo, Ltd. to furnish the required road salt for an amount of \$39.95 per ton. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
November 3, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-10-03, ROAD SANDING MATERIALS

Attached for your consideration is the tabulation for Bid IF-10-03, Road Sanding Materials.

It is the recommendation of Municipal Services to accept the low bid of Rhodehouse Construction to furnish the required sanding material for an amount of \$5.30 per cubic yard.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to accept the low bid from Rhodehouse Construction to furnish the required sanding material for an amount of \$5.30 per cubic yard. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

City of Idaho Falls
November 3, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-10-01, ONE (1) NEW 2009 OR NEWER FIRE RESCUE TRUCK

NOVEMBER 12, 2009

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

It is the recommendation of Municipal Services to accept Bid "3A" of Rosenbauer/Central States to furnish a new 2010 International Cab and Chassis Mounted with a 2010 Rosenbauer Heavy Rescue Body for \$275,030.00 without trade-in. This amount includes a completion of chassis prepay deduction of \$3,522.00.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to accept Bid "3A" of Rosenbauer/Central States to furnish a new 2010 International Cab and Chassis Mounted with a 2010 Rosenbauer Heavy Rescue Body in the amount of \$275,030.00. Roll call as follows:

Aye: Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
November 9, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PURCHASE A NEW CAB AND CHASSIS MOUNTED WITH A HOT ASPHALT MACHINE PER CITY OF POCATELLO BID

It is the recommendation of Municipal Services to accept the bid of Lake City Trucks, Idaho Falls, Idaho, to furnish the subject equipment per City of Pocatello Bid of April 7, 2009. They would furnish a New 2011 International 7600 Mounted with a H. D. Industries Pro-Patch Pothole Patcher for a final amount of \$154,166.66; this includes some deletions and additions with a net decrease from bid amount of \$7,186.00. The Suppliers have agreed to allow us to piggyback their original bid to the City of Pocatello and honor the bid amount with said changes.

s/ S. Craig Lords

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to accept the bid from Lake City Trucks to furnish a New 2011 International 7600 Mounted with a H. D. Industrial Pro-Patch Pothole Patcher for a final amount of \$154,166.66 per the City of Pocatello Bid. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Lehto

NOVEMBER 12, 2009

Councilmember Cornwell
Councilmember Parry

Nay: None

Motion Carried.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls
November 12, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: COMMUNITY FORESTRY ORDINANCE REVISION -
SECTION 8-9-4

The Division of Parks and Recreation respectfully requests consideration to amend Section 8-9-4 of the City's Ordinance establishing a Shade Tree Committee. The request is to increase the number of Committee Members from six to seven so as to allow a representative from the Planning and Building Division to be appointed to the Committee.

The proposed revision has been prepared and approved by the City Attorney and is therefore submitted for your approval.

s/ David J. Christiansen

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

ORDINANCE NO. 2826

AN ORDINANCE OF THE CITY CODE OF IDAHO FALLS, IDAHO; AMENDING SECTION 8-9-4 OF THE IDAHO FALLS CITY CODE; INCREASING THE NUMBER OF MEMBERS ON THE SHADE TREE COMMITTEE FROM SIX MEMBERS TO SEVEN MEMBERS; PROVIDING FOR METHODOLOGY; PROVIDING FOR SEVERABILITY; AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Lehto 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:

NOVEMBER 12, 2009

Aye: Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry
Councilmember Lehto

Nay: None

Motion Carried.

City of Idaho Falls
November 12, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: COMMERCIAL WATERCRAFT CONCESSION AGREEMENT

Attached for your consideration is an Agreement between the City of Idaho Falls and Mr. Mike Melville. This one-year agreement provides for the operation of a non-exclusive commercial watercraft concession, terminating December 31, 2010. The agreement has been reviewed and approved by the City Attorney.

The Parks and Recreation Division respectfully requests approval and authorization for the Mayor and City Clerk to sign and execute said Contract Agreement.

s/ David J. Christiansen

It was moved by Councilmember Hardcastle, seconded by Councilmember Lehto, to approve the Agreement between the City of Idaho Falls and Mr. Mike Melville for a Commercial Watercraft Concession Agreement and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Parry
Councilmember Hardcastle
Councilmember Cornwell

Nay: None

Motion Carried.

The Police Chief recommended denial of a Public Conveyance Operator's License to Jessica Wood based on a background check and her driving history.

The Police Chief appeared to state that the City Code provides that the license shall not be granted if there is a suspension within one year from the date of application. Ms. Wood had a suspension of her driver's license in February, 2009. Further, there are current matters on her record that are being contested at this time. Regardless of what happens with the current issues, the suspension of her driver's license in February, 2009 would go against the current City Ordinance.

NOVEMBER 12, 2009

Jessica Wood, 1048 West 65th South, appeared to state that she has reviewed the City Code on the City's website. She stated that she understood that the City Code states that a Public Conveyance Operator's License would be denied if there is a suspension on her record within the past year. She, also, stated that the City Code provides that the final decision is to be provided by the City Council regarding whether this license could be issued or not. Ms. Wood stated, further, that denying her license would not help the community to contribute to the unemployment rate. She stated that she would appreciate it if the City Council would approve her Public Conveyance Operator's License at this time.

Edward Johnson, 3454 Summit Run Trail, appeared to state that he owns AIT Transportation. Jessica Wood worked at other transportation companies and did not apply for or receive a Public Conveyance Operator's License while employed for any of them. Mr. Johnson explained that he has complied with the law by making sure that a background check is completed and that a Public Conveyance Operator's License is obtained. When the background check was returned with a record, Jessica was laid off. Mr. Johnson stated that during the time that Jessica did work for AIT Transportation, she has been a good employee. He stated, further, that Jessica deserves a second chance and should be given the Public Conveyance Operator's License.

The Police Chief appeared to clarify that there was a suspension on her record for February, 2009. According to Police Records, the pending case involves a second suspension in March, 2009 which is now awaiting disposition.

Following a brief discussion regarding the City Code, the Police Chief clarified that Ms. Wood has had 9 suspensions on her record over time.

It was moved by Councilmember Hardcastle, seconded by Councilmember Parry, to defer consideration of this denial of a Public Conveyance License to Jessica Wood to the November 24, 2009 Regular Council Meeting. Roll call as follows:

Aye: Councilmember Parry
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Lehto

Nay: None

Motion Carried.

The Public Works Director submitted the following memo:

City of Idaho Falls
November 3, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: GEOLOGICAL SERVICES AGREEMENT - CLEARWATER
GEOSCIENCES, LLP

Attached is a proposed Agreement between the City and Clearwater Geosciences, LLP for geological services related to Well No. 14. The cost of these services is not to exceed \$5,447.50.

NOVEMBER 12, 2009

Public Works requests approval of this Agreement; and, authorization for the Mayor and City Clerk to sign the Agreement.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Parry, to approve the Agreement between the City of Idaho Falls and Clearwater Geosciences, LLP for geological services related to Well No. 14 and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle
Councilmember Parry

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct a public hearing, as legally advertised, for consideration of a Planned Unit Development to construct single-family residential homes on property located generally south of the intersection Pier View Drive and Snake River Parkway, east and adjacent to Snake River Parkway, west of the Snake River, and legally described as Block 8, Snake River Landing, Division No. 5. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
November 4, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: PLANNED UNIT DEVELOPMENT – SNAKE RIVER LANDING,
DIVISION NO. 5

Attached is the application for a Planned Unit Development to construct 34 single-family detached homes on Lot 1, Block 8, Snake River Landing, Division No. 5. This parcel of ground is southeast of the intersection of Snake River Parkway and Whitewater Drive. The parcel is zoned C-1 which allows dwellings. The Planning Commission considered this request at its October 8 Meeting and recommended approval of the Planned Unit Development provided the Board of Adjustment granted the necessary variances. On October 22, 2009, the Board granted variances to reduce the side yards from twelve feet to ten feet and to reduce the required common space within Lot 1 to 13 percent. Staff concurs with both of these recommendations. This application is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

NOVEMBER 12, 2009

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 Planned Unit Development request:

- Slide 1 Vicinity map showing surrounding zoning
- Slide 2 Aerial Photo
- Slide 3 Aerial Photo showing boundaries of Snake River Landing
- Slide 4 Site Plan for 34 Homes
- Slide 5 Landscape Plan for the Planned Unit Development
- Slide 6 Landscape Plan Detail showing footprints of dwelling units
- Slide 7 Building Elevations
- Slide 8 Site Photo showing view from Whitewater Drive looking south
- Slide 9 Site Photo showing development north of Whitewater Drive
- Slide 10 Site Photo showing Snake River Parkway immediately west of site under consideration

- Slide 11 Site Photo showing Central Valley
- Slide 12 Site Photo showing beyond Central Valley
- Exhibit 1 Planning Commission Minutes dated October 8, 2009
- Exhibit 2 Board of Adjustment Minutes dated October 22, 2009
- Exhibit 3 Zoning Vicinity Map
- Exhibit 4 Aerial Photo
- Exhibit 5 Copy of Site Plan
- Exhibit 6 Copy of Landscape Plan

The Planning and Building Director explained that the lot is irregular in shape. The land to the east of this property is still in Bonneville County and zoned agricultural. Snake River Parkway had to be built to open up the entire area for development. The Board of Adjustment granted the two variances requested. The Planning and Building Director explained that a Planned Unit Development allows flexibility in the design of single-family homes or single-family homes and commercial development. As a trade-off for flexibility, there is common open space. There has been an extensive amount of landscaping in this area to protect the development from the agricultural land in the County.

Alan Cunningham, Mountain River Engineering, 1020 Lincoln Road, appeared to state that there is substantial buffering in the area, along with approximately 50 feet to 100 feet in the narrowest portion before it becomes contiguous with the County property.

Eric Isom, Ball Ventures, 901 Pier View Drive, appeared to state that Ball Ventures is the master developer for Snake River Landing, with Garbett Homes being the builder of the homes and applicant in this matter. There is a good amount of separation from the agricultural land. There is a storm pond, a creek, and a walking path between the homes being proposed and the agricultural land. There is also a lot being used for landscaping which further defines this area. When Snake River Landing was conceived, the vision was to create a place that provided a unique urban living setting with higher density homes. With the changes in the economy in the past year, some adjustments had to be made. At this time, 29 reservations for homes in this development have been made with money deposited. Originally, condominiums were planned for. It was determined that single-family detached homes were a better product. As the property was uniquely shaped, the setback issues had to be modified.

There being no further comments either in favor of or in opposition to this Planned Unit Development request, Mayor Fuhrman closed the public hearing.

NOVEMBER 12, 2009

It was moved by Councilmember Parry, seconded by Councilmember Hardcastle, to approve the Planned Unit Development to construct single-family residential homes on property located generally south of the intersection Pier View Drive and Snake River Parkway, east and adjacent to Snake River Parkway, west of the Snake River, and legally described as Block 8, Snake River Landing, Division No. 5. Roll call as follows:

Aye: Councilmember Parry
Councilmember Lehto
Councilmember Cornwell
Councilmember Hardcastle

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Lehto, seconded by Councilmember Cornwell, that the meeting adjourn at 8:35 p.m.

CITY CLERK

MAYOR
