

DECEMBER 17, 2009

The City Council of the City of Idaho Falls met in Special Council Meeting, Thursday, December 17, 2009, 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 Thomas Hally
Councilmember Ken Taylor
Councilmember Karen Cornwell
Councilmember Ida Hardcastle
Councilmember Sharon D. Parry

Absent was:

Councilmember Michael Lehto

Also present:

Rosemarie Anderson, City Clerk
All available Division Directors

Mayor Fuhriman requested Boy Scout Ryan Duane 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 confirmation for the Re-Appointment of Jim Dalton to serve on the Golf Advisory Board (Term to Expire in December, 2012).

The City Clerk requested approval of the Minutes for the December 8, 2009 Council Work Session, the December 10, 2009 Council Work Session, and the December 10, 2009 Regular Council Meeting.

The City Clerk presented several license applications, including BEER Licenses to Airport Lounge, Aldo's Spaghetti, Alexandra's Musica Latina, Blue Wave LLC, Brownstone Companies Inc., Casa Jaliscos Inc., Fat Smitty's, Golden Crown Lounge, Hard Hat Steakhouse and Grill, Iron Mule Saloon LLC, Jaliscos, Jiffy Mart (Elm Street), Karens Park Avenue Club, La Ramada, Marcellar's Vintage Wines and Brews, Maverik Country Store (Yellowstone Avenue), Muddys Place, Papa Tom's Pizza (Woodruff Avenue), Paula's Meat Market, Pinecrest Inn, Plum Loco, Quick Stop of Idaho Falls, Red Lion on the Falls, Rite Quik Stop No. 1, Sage Lakes Café, Sand Creek Café, Sandpiper Restaurants East, Short Stop Market and Laundry, Sneekers, Tacos Mi Pueblo, Taqueria Paula's, The 840, Tom's Gyro and Burgers, Vino Rosso, and 19th Hole Cafe, all carrying the required approvals, and requested authorization to issue those licenses.

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

Aye: Councilmember Cornwell
Councilmember Hardcastle

DECEMBER 17, 2009

Councilmember Hally
Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

REGULAR AGENDA

The Municipal Services Director submitted the following memos:

City of Idaho Falls
December 7, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-10-06, ONE (1) 2009 OR NEWER LINEBED, HYDRAULIC
DIGGER DERRICK AND RELATED ACCESSORIES MOUNTED
ON A 2010 OR NEWER CAB AND CHASSIS

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 Southern Idaho Freightliner to furnish a New 2011 Freightliner Cab and Chassis to be mounted with a New 2010 Altec for an amount of \$195,713.00 with Trade-In Unit No. 324 and option for mechanic training.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to accept the low bid of Southern Idaho Freightliner to furnish a New 2011 Freightliner Cab and Chassis mounted with a New 2010 Altec for an amount of \$195,713.00 with Trade-In Unit No. 324 and option for mechanic training as presented. Roll call as follows:

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

Nay: None

Motion Carried.

DECEMBER 17, 2009

City of Idaho Falls
December 7, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-10-07, ONE (1) NEW 2009 OR NEWER ROLL-OFF
CONTAINER TILT FRAME MOUNTED ON A NEW 2010 OR
NEWER CAB AND CHASSIS

Attached for your consideration is the tabulation for the tilt frame truck listed above.

It is the recommendation of Municipal Services to accept the low bid of Southern Freightliner to furnish One (1) New 2010 Galbreath Roll-Off Container Tilt Frame mounted on a new 2011 Freightliner Cab and Chassis for a total amount of \$79,245.00 with Trade-In Unit No. 797.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to accept the low bid of Southern Freightliner to furnish One (1) New 2010 Galbreath Roll-Off Container Tilt Frame Mounted on a New 2011 Freightliner Cab and Chassis for a total amount of \$79,245.00 with Trade-In Unit No. 797. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
December 7, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PURCHASE OF POLICE VEHICLES – STATE OF IDAHO BID

It is the recommendation of Municipal Services to accept the bid of Bonanza Motors of Burley, Idaho to furnish the required vehicles per the State of Idaho Bid.

DECEMBER 17, 2009

Item/Quantity	Make and Model Bid	Bidder	Unit Price	Item Total
1) 4	2010 Sedans, Dodge Charger Model LXDH48 with Options	Bonanza Motors State SBPO 1331	\$21,066.00	\$ 84,264.00
2) 3	2010 Sedans, Dodge Charger Model LXDH48 with Options	Bonanza Motors State SBPO 1331	\$20,924.00	\$ 62,772.00
3) 1	2010 Sedans, Dodge Charger Model LXDH48 with Options	Bonanza Motors State SBPO 1331	\$20,959.00	\$ 20,959.00
	TOTAL			\$167,995.00

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to accept the bid from Bonanza Motors of Burley, Idaho to furnish the required police vehicles per the State of Idaho Bid. Mayor Fuhriman expressed his appreciation for the hard work from the Municipal Services Director on this bid. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
December 11, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RESOLUTION AUTHORIZING DESTRUCTION OF DOCUMENTS

It is respectfully requested that the Council pass the attached Resolution, which would authorize, pursuant to Idaho Code Section 50-907, the destruction of certain records.

s/ S. Craig Lords

RESOLUTION NO. 2009-16

AUTHORIZING DESTRUCTION OF RECORDS

WHEREAS, certain records have been held longer than Idaho Code Section 50-907 requires and are no longer needed for public purposes; and,

DECEMBER 17, 2009

WHEREAS, pursuant to Idaho Code Section 50-907, the City is authorized to destroy certain records;

NOW, THEREFORE, be it resolved that the City Treasurer, City Controller, City Clerk, and General Services Administrator are hereby authorized to destroy the records listed below:

FROM THE MUNICIPAL SERVICES DIVISION:

Documents from the Treasurer's Office:

1. Cancelled payroll checks written prior to April 1, 2007.
2. All ambulance and accounts receivable billing statements and payment receipts written prior to October 1, 2004.
3. All receipts issued by the Library, Police Department, Recreation Division, Golf Course, Zoo, Animal Shelter, City Clerk's Office, and for parking violations and all Building and Zoning receipts, as well as any other miscellaneous receipts originated by the Treasurer's Office written prior to October 1, 2004.
4. All checks written prior to October 1, 2004.
5. All deposit books containing records of deposits made no later than October 1, 2004.
6. All receipts and documents pertaining to the investment of City funds written prior to October 1, 2004.
7. Quarterly Treasurer's Reports and Proofs of Publication published prior to October 1, 2004.

Documents from the Controller's Office:

1. Claims Vouchers from October, 2003 through September, 2004.
2. Journal Entries from October, 2003 through September, 2004.
3. Payroll Time Sheets for the 2004 Year.
4. Vacation, Sick Leave, and Attendance Reports through September, 2008.
5. Check Registers through September 30, 2008.
6. Encumbrance Reports through September 30, 2008.

DECEMBER 17, 2009

7. Utility Refunds – Impressed Warrant Check Duplicates through September, 2004.

Documents from the City Clerk’s Office:

1. Monthly Reports from the Building Maintenance Department, Building Official, Electric Division, Engineering Department, Fire Department, Garage, Parks and Recreation Division, Human Resources Division, Police Department, Sanitation Department, Sewer Department, Street Department and Water Department prior to December, 2004.
2. License applications for businesses and tradesmen prior to December, 2004, and related documentation.
3. City Council Call Sheets prior to December, 2008.
4. Auction Records prior to December, 2004.
5. Damage Claims prior to December, 1999.
6. City Clerk’s Office Receipts prior to December, 2004.
7. Other related documents prior to December, 2004.

Documents from the Purchasing Department:

1. Purchase Orders prior to October, 2004.
2. Other related documents prior to October, 2004.

FROM THE FIRE DIVISION:

1. Explanation of Benefits (EOBs) prior to January 1, 2003.
2. Ambulance Patient Care Reports prior to January 1, 2003.
3. Ambulance Invoices prior to January 1, 2003.

FROM THE HUMAN RESOURCES DIVISION:

1. Month End Reports prior to January, 2005.
2. Terminated employees files for employees separated over 10 years.
3. Affirmative Action Reports prior to January, 2005.
4. Bid Notices prior to January, 2000.
5. Civil Service Recruitment and Selection Records prior to January, 2000.
6. Travel Expense Reports prior to January, 2005.

DECEMBER 17, 2009

7. Physical and Hearing Exam Reports for employees separated over 10 years.
8. Supervisor's Reports of Accident prior to January, 2005.
9. Accident on Duty Compensation Payment Reports prior to January, 2005.

APPROVED by the City Council on the 17th day of December, 2009.

s/ Jared D. Fuhriman
Jared D. Fuhriman
Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to approve the Resolution Authorizing Destruction of Documents pursuant to Idaho Code Section 50-907 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.

City of Idaho Falls
December 11, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CENTER PARTNERS, INC. PARKING LOT LEASE EXTENSION

Attached for your consideration is Center Partners, Inc. Lease Extension for the parking lot located at 1800 International Way for a rental rate of \$1,560.00 per month.

Said agreement has been reviewed and approved by Dale Storer, City Attorney.

DECEMBER 17, 2009

It is respectfully requested that Council approve said Lease Agreement and authorize the Mayor to execute the document.

s/ S. Craig Lords

It was moved by Councilmember Taylor, seconded by Councilmember Hardcastle, to approve the Lease Agreement Extension with Center Partners, Inc. for the parking lot located at 1800 International Way for a rental rate of \$1,560.00 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 Planning and Building Director submitted the following memo:

City of Idaho Falls
December 2, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT – EASTERN IDAHO COMMUNITY ACTION PARTNERSHIP, DIVISION NO. 1

Attached is a one lot plat for 3.8 acres located between Yellowstone Highway and Lincoln Road east of the intersection of Yellowstone Highway, Anderson Drive, and Lincoln Road. This parcel is zoned GC-1 and HC-1. The Planning Commission considered this final plat at its December 1, 2009 Meeting and recommended approval with conditions which have been met on the final plat or will be addressed in site plan approval. The Department recommends approval of the final plat.

s/ Renee R. Magee

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the Final Plat for Eastern Idaho Community Action Partnership, 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 Hardcastle
Councilmember Hally

DECEMBER 17, 2009

Councilmember Parry
Councilmember Taylor

Nay: None

Motion Carried.

The memo from the Planning and Building Director regarding the Final Plat for the First Amended Plat of Daggett Heights Addition, Division No. 1 was withdrawn by the Division Director.

The Public Works Director submitted the following memo:

City of Idaho Falls
December 11, 2009

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ENGINEERING SERVICES CONTRACT – KELLER ASSOCIATES, INC. – WELL NO. 14 MOTOR REPLACEMENT

Attached is a proposed Agreement between the City of Idaho Falls and Keller Associates, Inc. to perform engineering services related to Well No. 14 motor replacement, the estimated cost of which is \$24,264.00.

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

s/ Chad Stanger

It was moved by Councilmember Parry, seconded by Councilmember Hally, to approve the Engineering Services Agreement with Keller Associates, Inc. for the Well No. 14 Motor Replacement and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Fuhriman requested Councilmember Parry to conduct a public hearing, as legally advertised, for consideration of a Text Amendment to the Zoning Ordinance, Section 4-23.X, Landscaping of Parking and Loading Areas to clarify landscaping requirements for parking lots in the Central Business District. At the request of Councilmember Parry, the City Clerk read the following memo from the Planning and Building Director:

DECEMBER 17, 2009

City of Idaho Falls
December 2, 2009

MEMORANDUM

TO: Mayor and Council
FROM: Renee R. Magee, Planning and Building Director
SUBJECT: TEXT AMENDMENT – ZONING ORDINANCE – SECTION 4-23.X,
LANDSCAPING OF PARKING AND LOADING AREAS

Attached is a proposed text amendment to the Zoning Ordinance to clarify landscaping requirements for surface parking lots in the Central Business District. This proposed Amendment implements the recommendations of the *Idaho Falls Downtown Design Guidelines*. The Planning Commission considered this Text Amendment on November 10, 2009, and recommended approval of the Amendment. The City Attorney has reviewed the Ordinance. This Amendment is now being submitted to the Mayor and Council for consideration.

s/ Renee R. Magee

The Planning and Building Director provided the following exhibits in connection with this Text Amendment to the Zoning Ordinance:

Photo 1	Photo of parking lot at corner of Yellowstone Avenue and A Street
Photo 2	Photo of parking lot at corner of Yellowstone Avenue and Broadway
Exhibit 1	Staff Report including proposed amendment
Exhibit 2	Planning Commission Minutes dated November 10, 2009

The Planning and Building Director explained, further, that this Ordinance changes the existing provisions to state that any landscaping needs to be on the perimeter adjacent to the public right-of-way. This will form a wall of trees. Where there is no building, a wall will be continued with trees and lower landscaping. This change will affect new parking lots.

There being no further discussion either in favor of or in opposition to this Text Amendment to the Zoning Ordinance, Mayor Fuhrman closed the public hearing.

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

ORDINANCE NO. 2827

AN ORDINANCE OF THE CITY OF IDAHO FALLS,
IDAHO; AMENDING SECTION 4-23.X.2.,
ADDITIONAL LANDSCAPING REQUIREMENTS FOR
PARKING AREAS; DECLARING ORDINANCE
METHODOLOGY; PROVIDING FOR
PRESERVATION OF PRIOR ORDINANCE;
PROVIDING FOR SEVERABILITY AND
ESTABLISHING EFFECTIVE DATE.

DECEMBER 17, 2009

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

Nay: None

Motion Carried.

Mayor Fuhriman requested Ryan Duane to repeat the Scout Motto, Scout Law, and Scout Oath. Mr. Duane did so, with flying colors.

There being no further business, it was moved by Councilmember Hardcastle, seconded by Councilmember Cornwell, that the meeting adjourn at 8:50 p.m.

CITY CLERK

MAYOR
