

JANUARY 25, 2001

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, January 25, 2001, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Mary Klingler
Councilmember Ida Hardcastle
Councilmember Bruce Rose
Councilmember Brad Eldredge
Councilmember Mike Lehto
Councilmember Joe Groberg

Also present:

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

The City Clerk read a summary of the minutes for the January 11, 2001 Regular Meeting. It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve the minutes as printed. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Rose
Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

The City Clerk presented several license applications, including BEER LICENSES to Aldo's Ristorante and Hattricks; and BARTENDER PERMITS to Kabrina Gilbert, Melanie A. Kippen, Chris M. Korbis, Rebecca L. Little, Reatha F. Moore, and Merrilyne S. Rish, all carrying the required approvals, and requested authorization to issue these licenses.

The City Clerk requested Council ratification for the publication of legal notices calling for public hearings on January 25, 2001.

The Parks and Recreation Director submitted the following memos:

City of Idaho Falls
January 25, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: RATIFICATION TO BID FOR TAUTPHAUS PARK ZOO HOSPITAL

JANUARY 25, 2001

The Division of Parks and Recreation respectfully requests ratification to bid for the Tautphaus Park Zoo Hospital. Advertisements to bid for the Zoo Hospital were published January 14 and January 21, 2001.

s/ David J. Christiansen

City of Idaho Falls
January 25, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: RATIFICATION TO BID FOR TAUTPHAUS PARK ARCADE
ELECTRICAL RENOVATIONS

The Division of Parks and Recreation respectfully requests ratification to bid for the Tautphaus Park Arcade Electrical Renovations. Advertisements are scheduled to be published on January 21 and January 28, 2001.

s/ David J. Christiansen

The Public Works Director submitted the following memo:

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: BID AUTHORIZATION – SUNNYSIDE ROAD/SAND CREEK
BRIDGE REPLACEMENT

Public Works requests authorization to advertise to receive bids for the Sunnyside Road/Sand Creek Bridge Replacement.

s/ Chad Stanger

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

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

JANUARY 25, 2001

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for Waterford Addition, Division No. 5. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
January 24, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: WATERFORD ADDITION, DIVISION NO. 5

Attached is the Annexation Agreement, Annexation Ordinance, and Final Plat for Waterford Addition, Division No. 5. The requested initial zoning is R-1 and R2-A. This property is located east of South 5th West and south of Sunnyside Road. The Final Plat consists of four lots for single-family detached homes, forty-four lots for single-family attached homes, four common landscape lots, and two lots for storm water retention ponds. The Planning Commission considered this annexation request at its November 14, 2000 Meeting and recommended approval with conditions which have been addressed in the Annexation Agreement. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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 with Final Plat superimposed
Slide 3	New Preliminary Plat
Slide 4	Final Plat
Slide 5	Site Photo looking northerly along east side of South 25 th West
Slide 6	Site Photo looking west from approximately center of Waterford Addition, Division No. 5
Slide 7	Site Photo looking north from approximately center of Waterford Addition, Division No. 5
Exhibit 1	Planning Commission Minutes dated November 14, 2000
Exhibit 2	Staff Report dated November 14, 2000
Exhibit A	Artist's Rendering of Waterford Addition, Division No. 5 from Becky Bowcutt, G. L. Voigt Developers

The Planning and Building Director explained that the storm water retention ponds were expanded, removing lots that were originally to be used for single-family detached homes.

Councilmember Rose requested to know whether the storm water retention ponds were expanded to provide for increased capacity. The Planning and Building Director stated that capacity was achieved with the preliminary design for the storm water retention

ponds, but the depth that was required to achieve capacity on the original size of lots was unacceptable to the Developer. With the new design, the storm water retention ponds will not be as deep and will also serve as amenities for the surrounding neighborhood.

JANUARY 25, 2001

Becky Bowcutt, G. L. Voigt Development, 1908 East Jennie Lee Drive, appeared as a representative for the Developer. She explained that Mr. Voigt, the Developer, wanted to expand the town homes in this subdivision and provide a loop street. Public right-of-way was decreased from 60-feet to 50-feet, splitting the traffic between both sides of the loop street.

Councilmember Lehto requested to know the dimensions of the southerly retention pond. Ms. Bowcutt stated that the dimensions were approximately 250 feet by 300 feet, being approximately 80,500 square feet. The approximate depth of the southerly storm water retention pond is 4-5 feet.

Joe Keller, 4143 South 5th West, appeared to state that he lives on the parcel of land that is south of the proposed annexation. He expressed his concern over the proposed R-2A zoning, in that it would allow for 8-plexes. The surrounding neighbors did not want 8-plexes to be built and wanted to be sure there was language in the Annexation Agreement that would prohibit that type of development.

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

The Planning and Building Director stated that when a parcel is initially zoned, a limit on the land use could not be placed on that zone. There is a 50-foot street that will be serving the single-family attached homes. Under the Subdivision Ordinance, a 50-foot wide street is allowed under two conditions: 1) That it serves less than 40 homes; or, 2) That the Planning and Building Division and Engineering Department approve it. The Planning and Building Division and Engineering Department recommended approval, and because it is a 50-foot street, there is also a provision in the Annexation Agreement that limits building permits to single-family detached or single-family attached homes on the 50-foot right-of-way. This is limited due to the physical improvements that are being proposed, not being limited due to the zoning.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Annexation Agreement for Waterford Addition, Division No. 5 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Rose
 Councilmember Eldredge
 Councilmember Lehto
 Councilmember Klingler
 Councilmember Hardcastle
 Councilmember Groberg

Nay: None

Motion Carried.

At the request of Councilmember Rose, the City Attorney read the following Ordinance by title:

ORDINANCE NO. 2405

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; 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.

JANUARY 25, 2001

The foregoing Ordinance was presented by title only. Councilmember Rose moved, and Councilmember Eldredge 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 sign the necessary documents. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for Waterford Addition, Division No. 5 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Rose
Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

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 Rose, seconded by Councilmember Eldredge, to establish the initial zoning of Waterford Addition, Division No. 5 as R-1 (Single-Family Residential) and R-2A (Apartments not to exceed 8-Plexes) as requested and, 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 Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

JANUARY 25, 2001

Mayor Milam requested Councilmember Rose to conduct Annexation Proceedings for McNeil Business Park, Division No. 2. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
January 19, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: MCNEIL BUSINESS PARK, DIVISION NO. 2

Attached is the Annexation Agreement, Annexation Ordinance and Final Plat for McNeil Business Park, Division No. 2. The requested initial zoning is I & M-1. This property is located west of Rollandet Avenue, north of Sunnyside Road, and south of 25th Street, and the Final Plat consists of eight lots on 6.96 acres. The Planning Commission considered this annexation request at its December 12, 2000 Meeting and recommended approval with conditions which have been addressed in the Annexation Agreement and Final Plat. This annexation request is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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	Vicinity Map showing Bonneville County zoning
Slide 3	Aerial Photo with Final Plat superimposed
Slide 4	Final Plat
Slide 5	Site Photo looking north from south end of site
Slide 6	Site Photo looking northeast from south end of site
Slide 7	Site Photo looking southwest from the south end of site
Exhibit 1	Planning Commission Minutes dated December 12, 2000
Exhibit 2	Staff Report dated December 12, 2000

The Planning and Building Director, also, submitted the following letter from Mr. Neil Christensen:

January 17, 2001
Neil Christensen

City of Idaho Falls
Planning and Building Division
P. O. Box 50220
Idaho Falls, Idaho 83405-0220

Subject: Public hearing on the consideration of an annexation, final plat, and initial zoning of I & M-1 (Industrial and Manufacturing) of the property to be

known as McNeil Business Park, Division No. 2, located generally north of West Sunnyside Road, west of Rollandet Avenue; hereafter referred to as the McNeil Business Park.

JANUARY 25, 2001

Being unable to attend this public hearing, I am submitting my written comments for consideration by the Idaho Falls City Council. I wish to discuss the proposed annexation to the City of Idaho Falls of the McNeil Business Park. Residential areas are, and should continue to be the city's most favorable zone. As such, they should be your first priority. I have always had the understanding that Planning and Zoning was developed to separate residence and industry, thereby protecting property values, ensuring a healthful social environment, reducing conflicts, and providing for the quiet enjoyment of our properties. A well-developed City provides for a transition from its residential to its industrial areas. This is one of the reasons for the development of multiple zones; rather than just residential and industrial.

This transition must be more than just a buffer area – such as the proposed 7-foot setback between the Thayer Bridge residents and the McNeil Business Park. It must be an actual area of less harsh zoning, such as business and professional buildings, that provides protection of the residents from the harsh economic and environmental impacts of industry – impacts such as loss of property values, nuisances resulting from noise pollution, and trespasses resulting from dusts and fumes commonly generated by industrial use.

The City of Idaho Falls has already annexed and approved the zoning and development of Thayer Bridge. This development was allowed with only a small setback from adjoining properties. Future annexation of the adjoining properties must consider the City's previous decision and its resulting duty to the residents of this already developed residential area.

The need exists, in this instance, to provide a transition from residential to industrial use; thereby protecting the rights and property values of the affected Idaho Falls residents while allowing the development and productive use of the adjoining property.

The City of Idaho Falls has developed rules and regulations governing the development and zoning of the City. In these (Section 7-15, I & M-1 Industrial and Manufacturing Zone) the City states that its objectives in establishing the I & M-1 Zone include:

1. "To prevent the encroachment of industrial uses into non-industrial zones."
2. "To prevent the co-mingling of incompatible uses and the attending of depreciation of property values and the unwholesome social conditions resulting thereby."

The annexation of the McNeil Business Park, as proposed, violates these objectives. However, the land could be developed in a way that allows the annexation of the McNeil Business Park while ensuring the rights of adjacent property and fulfilling the City's duty with respect to zoning. I proposed the following be considered in the annexation of the McNeil Business Park.

1. Lots that are adjacent to the residential lots (those located on the east side of the development) should be zoned in a manner more compatible with the existing residences, such as professional/business (PB).

JANUARY 25, 2001

- a. Zoning these lots PB will provide the needed transition from residential to industrial use.
 - b. The developer has indicated at previous meetings with the residents of Thayer Bridge and in previous Planning and Zoning Meetings that his intended development of these lots is business and professional buildings so this will not conflict with the intended development.
2. A landscaped, undeveloped buffer zone needs to be provided where the McNeil Business Park property abuts the residential property (Thayer Bridge).
- a. This buffer needs to be at least 20-feet from the existing property line. It should include landscaping and trees, not allow structures or storage of any kind (excess material or vehicles), and not be used for parking lots.
 - b. If this buffer interferes with the planned building size for these lots, a reduced setback requirement from the street on the McNeil Business Park side of the development should be adopted (i.e., change the proposed 30-foot setback).

Please consider these recommendations in making your decision.

Sincerely,

s/ Neil Christiansen
3034 Thayer Bridge
Idaho Falls, Idaho 83402

s/ Veda Driscoll
3010 Thayer Bridge
Idaho Falls, Idaho 83402

s/ Andrew C. Roberts
3066 Thayer Bridge Circle
Idaho Falls, Idaho 83402

s/ Lois Harry
2966 Thayer Bridge
Idaho Falls, Idaho 83402

s/ Patricia A. Roberts
3066 Thayer Bridge Circle
Idaho Falls, Idaho 83402

s/ Darrell M. Smith
3148 Thayer Bridge
Idaho Falls, Idaho 83402

s/ Mr. and Mrs. Jack D. Miller
2998 Thayer Bridge Circle
Idaho Falls, Idaho 83402

s/ Mr. and Mrs. Randy L. Dixon
3108 Thayer Bridge Circle
Idaho Falls, Idaho 83402

s/ Ms. Allie L. Hollis
2978 Thayer Bridge
Idaho Falls, Idaho 83402

s/ Horita Christiansen
3026 Thayer Bridge Circle
Idaho Falls, Idaho 83402

s/ Bill R. Gneiting
2958 Thayer Bridge Circle
Idaho Falls, Idaho 83402

The Planning and Building Director explained that there was a request for a 40-foot access and utility easement on the north of McNeil Drive. When the Division was

JANUARY 25, 2001

brought in, the Developer originally proposed a loop street back to Rollandet Avenue. The staff requested that the street not be looped. Staff requested that the street dead-end temporarily in order to move the industrial traffic to the west or to the north and not circle back to Rollandet Avenue. It is proposed that a temporary access be provided for emergency purposes and other vehicles, with the 40-foot access on the west side of McNeil Drive to possibly be a future street.

Councilmember Rose requested to know what the control mechanism would be for the access to be for emergency vehicles only. The Planning and Building Director stated that this access would be built for emergency vehicles and other vehicles. The Annexation Agreement is written such that it does provide access for all vehicles, and at such time that the City requires that it be terminated, the Developer will at that time terminate that access.

Roland Walker, 2130 South Boulevard, appeared to state that when the Preliminary Plat was considered initially, there was a large discussion regarding the Thayer Bridge development. The Final Plat has been designed so that the larger industries would be away from the residential area, with smaller lots abutting the Thayer Bridge residential property. He explained that a 7-foot setback area was provided for with Bob Utterbeck and himself splitting the cost of trees to be placed in the 7-foot setback.

Councilmember Groberg questioned whether the eastern-most lots, those abutting the Thayer Bridge development, could be zoned PB, as requested by Neil Christiansen. Mr. Walker stated that this was not a consideration, as he did not know how to make the industrial park work with that configuration. He stated that this industrial park is not open to all types of industrial development; he has already turned down an auto paint shop, as he wants this development to have a certain theme.

Councilmember Lehto questioned Mr. Walker as to whether there would be any business in his development that would be more than a 12-hour operation. Mr. Walker stated that he has not had any contact with that type of business.

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

Councilmember Eldredge stated that there is a 7-foot buffer on the lots that are adjacent to Thayer Bridge Addition. With further development, Thayer Bridge should be surrounded by a buffer from McNeil Business Park.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Annexation Agreement for McNeil Business Park, Division No. 2 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Klingler
 Councilmember Hardcastle
 Councilmember Rose
 Councilmember Eldredge
 Councilmember Lehto
 Councilmember Groberg

Nay: None

Motion Carried.

At the request of Councilmember Rose, the City Attorney read the following Ordinance by title:

JANUARY 25, 2001

ORDINANCE NO. 2406

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS, IDAHO; 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 Rose moved, and Councilmember Eldredge 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 sign the necessary documents. Roll call as follows:

Aye: Councilmember Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for McNeil Business Park, Division No. 2 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Rose
Councilmember Klingler

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 Rose, seconded by Councilmember Eldredge, to establish the initial zoning of McNeil Business Park, Division No. 2 as I & M-1 (Industrial and Manufacturing) as requested and, 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:

JANUARY 25, 2001

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing, as legally advertised, for consideration of a T-1 (Tower Overlay) Zone of property located generally at the west end of East 16th Street, west of Ponderosa, north of 17th Street, east of Wal-Mart, legally described as Metes and Bounds, .25 A. TR 17, Southeast Quarter, Southwest Quarter, Section 20, Township 2 North, Range 38, East of the Boise Meridian. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: REQUEST FOR T-1 OVERLAY, WEST END OF WEST 16TH STREET, EAST OF WAL-MART, AND NORTH OF 17TH STREET

Attached is the rezoning application from Lance Steinmen for Cleartalk and Gerry and Cathy Kimery to place a T-1 Overlay Zone on 0.25 acres north of 17th Street and immediately east and adjacent to Wal-Mart. The Planning Commission considered this request at its December 12, 2000 Meeting as well as at an earlier public hearing and recommended approval. This zoning request is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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 rezoning request:

Slide 1 Vicinity Map showing surrounding zoning
Slide 2 Aerial Photo
Slide 3 New tower on corner of 14th Street and Holmes Avenue
Slide 4 Site Photo looking west at site under consideration
Slide 5 Site Photo looking south along western site boundary
Slide 6 Site Photo looking east along southern site boundary
Slide 7 Site Photo showing 4 sites currently under construction
Slide 8 Map indicating service quality with additional tower in center of town

Slide 9 Map indicating service quality with additional tower at Mall location

Slide 10 Site Photo of the structure intended to build

JANUARY 25, 2001

Slide 11	Site Photo of more towers intended to build
Slide 12	Site Photo of KIDK tower
Slide 13	Site Photo of 25 th Street and Lincoln Road, showing the size of the compound that would be built allowing for future carriers
Exhibit 1	Planning Commission Minutes dated December 12, 2000
Exhibit 2	Planning Commission Minutes dated November 14, 2000
Exhibit 3	Letter from EquiWest dated December 6, 2000
Exhibit 4	Staff Report dated December 12, 2000
Exhibit 5	Copy of License for Cleartalk System

The Planning and Building Director provided the following letter from EquiWest:

EquiWest
December 6, 2000

Renée R. Magee
City of Idaho Falls
Planning and Building Division
P. O. Box 50220
Idaho Falls, Idaho 83405-0220

Re: Public Hearing
 T-1 Overlay Zone

To Whom It May Concern:

EquiWest serves as the general partner of Ponderosa Partners who owns the property adjacent to the property for which a request has been sought for you to consider a tower overlay zone.

As we are domiciled out of state, we will be unable to attend the hearing in person and in our absence wish to have our opinion entered into the public record in objection to the approval of any such zone change. We believe that this is the wrong location for any such zone and that it should be located elsewhere in the City where it does not have the visual impact and other potential interference with our ability to have the quiet enjoyment of our property.

Respectfully submitted,

s/ Steve Pruitt
Steve Pruitt
President

Lance Steinmen, 4824 West M-10, Quartz Hill, California, appeared as a representative from Cleartalk. Cleartalk is a PCS wireless telephone provider, currently building a system in Idaho Falls. Following Mr. Steinmen's presentation of Slides 7 through 13 showing proposed and existing towers. He indicated which towers would be suitable for Cleartalk and which were not suitable. Mr. Steinmen presented the following letters for the record:

JANUARY 25, 2001

Bearcat Builders
November 28, 2000

Fisher Television Regional Group
Jeff Anderson
1255 East 17th Street
Idaho Falls, Idaho 83404

Dear Mr. Anderson:

Thank you very much for considering our offer to locate a communication tower on your property in Idaho Falls.

As you may recall, I outlined my company's original proposal in our conversation of August 23, 2000. Our proposal was further outlined in the sample lease and possible site locations supplied to your company September 11.

You have been very kind to consider our offer to lease property from your company; unfortunately we have not received any response from Fisher Television Group as of this writing.

We, therefore, must conclude Fisher Television Regional Group is not interested in leasing property at this time.

Once again, I want to thank you very much for considering our proposal.

Best regards,

s/ Lance Steinmen
Mr. Lance Steinmen
Site Specialist

ROHN Industries, Inc.
December 4, 2000

Clartalk
1600 Ute Avenue, Suite 10
Grand Junction, CO 81501

Attention: Mr. Garry Curry

Fax: 970-241-0437

Reference: 150' Roof Mounted Tower at KIDK Channel 3, Idaho Falls, Idaho

Dear Garry:

After reviewing the photos you have supplied ROHN of the above-referenced tower, the tower type appears to be a ROHN Model 65G-guyed tower.

JANUARY 25, 2001

Based upon engineering estimates utilizing Cleartalk's required sector mounted antennas, the tower itself does not have the structural capacity to support this equipment.

The photos of the exterior of the tower and building were not sufficient for us to make a determination as to the suitability of the existing structure supporting the base of the tower. We would recommend a thorough engineering analysis to verify this aspect of the tower structure.

Sincerely,

s/ Scott Wenk
Scott Wenk
Western Region
Sales Manager

Cathy Kimery
December 11, 2000

Dear Planning and Zoning Commission:

My name is Cathy Kimery and I live at 1080 East 15th Street, Idaho Falls, Idaho 83404. Phone Number 524-0122. My husband and I are the current owners of 985 East 16th Street where it has been requested to turn it into a T-1 tower zone. I was at the last meeting of this Commission when this rezoning was talked about. Some of the Commissioners were concerned as to why none of our neighbors showed up to either agree or disagree with this proposed tower. I have spoken with several of my neighbors and this tower zone does not seem to bother any of them because this is a very quiet, low impact business that wants to occupy our property. This business and tower will not be in any way as noisy and invasive as Wal-Mart. Every day when we walk out our front door, we see Wal-Mart's loading dock with several semi-trucks waiting to unload. The noise from them is also unbelievable. When the trucks back up and hit the loading dock, it rumbles our entire neighborhood, while unloading the trucks, employees slam things around and make all kinds of noise, the semi-trucks also sit out there and leave their trucks running for most of the night. We also have the employees that sit in their cars, on their breaks and play their stereos as loud as they possibly can, all hours of the night. We wanted to sell our property to a business like this so it wouldn't give any more grief to our neighbors as well as ourselves. We already have more than our fair share of noise to live with and didn't want to create any more. This neighborhood would be glad to welcome this business to our area. Thank you very much,

s/ Cathy Kimery
Cathy Kimery

Lee Staker, 2553 Everon, appeared as a representative from Century 21 Advantage. He stated that he has been working with Mr. Steinmen from Cleartalk in acquiring the locations for the towers. There has not been much opposition from

neighborhoods where towers are to be placed. Mr. Staker encouraged approval of the T-1 Overlay Zone.

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

JANUARY 25, 2001

Councilmember Lehto requested the Planning and Building Director to explain why the KIDK tower location and Andrews Well Drilling tower location could not be considered for this application. The Planning and Building Director stated that the two sites mentioned could be used. A provider could arrange with KIDK or Andrew Well Drilling to remove the existing tower and replace it with one that would be compatible to their use. KIDK and Andrew Well Drilling did not want to enter into a contract with Cleartalk.

Councilmember Lehto expressed his concern over adding an additional overlay zone, as co-location was an option for users of these towers. The Planning and Building Director explained that KIDK and Andrew Well Drilling locations are private entities and can turn down a contract with another provider. She stated that providers were telling the City that there was a need in this area, but radio frequency drawings were not available to show where the need was. That was the reason for how the Ordinance was written. The T-1 Overlay Zone will require that the new tower will be built to co-locate at least one other provider.

Councilmember Lehto requested to know where the EquiWest business location was. The Planning and Building Director stated that they own the strip mall where Imperial Cleaners and Sherman-Williams are housed. They also own Hastings building.

There being no further discussion either in favor of or in opposition to this rezoning request, it was moved by Councilmember Rose, seconded by Councilmember Eldredge, to establish the T-1 Overlay Zone on the property generally described as the west end of 16th Street, adjacent to and east of Wal-Mart, and the City Planner be instructed to reflect said zoning change on the official zoning map located in the Planning Office. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Rose to conduct a public hearing, as legally advertised, for consideration of a Planned Unit Development (PUD) on property located generally south of Sunnyside Road, east of Woodruff Avenue, particularly described as Lots 1-4, Block 2, George Washington Estates, Division No. 1. At the request of Councilmember Rose, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls
January 19, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: PHASE I, PLANNED UNIT DEVELOPMENT, GEORGE
WASHINGTON ESTATES, DIVISION NO. 1

Attached is the Site Plan for the first phase of Planned Unit Development for George Washington Estates, Division No. 1. This Site Plan consists of 1.38

JANUARY 25, 2001

acres, which comprises 57% of Block 2. The Planning Commission considered this request at its December 12, 2000 Meeting and recommended approval. This Site Plan is being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

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 the Planned Unit Development request:

Slide 1	Vicinity Map showing surrounding zoning
Slide 2	Aerial Photo
Slide 3	Site Plan
Exhibit 1	Planning Commission Minutes dated December 12, 2000
Exhibit 2	Staff Report dated December 12, 2000

The Planning and Building Director explained that Phase I consists of two medical office buildings. There are two access points, both of which comply with the Access Management Plan. The Planning Commission recommended that the parking areas be joined, so that joint access can be had between the two office buildings. The Site Plan has been reviewed by the Staff and has been found to be in compliance with the Zoning Ordinance.

Craig Hall, 3688 Cobblestone Lane, appeared to state that he was available to answer any questions for Phase I.

There being no discussion either in favor of or in opposition to this Site Plan for the Planned Unit Development, Mayor Milam closed the public hearing.

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to approve the Site Plan for Phase I of the Planned Unit Development for Lots 1-4, Block 2 George Washington Estates, Division No. 1 as presented. Roll call as follows:

Aye: Councilmember Klingler
Councilmember Hardcastle
Councilmember Rose
Councilmember Eldredge
Councilmember Lehto

Nay: None

Abstain: Councilmember Groberg

Motion Carried.

Mayor Milam requested Councilmember Hardcastle to conduct a public hearing, as legally advertised, for consideration of the proposed Golf Fee Schedule for the Fiscal Year 2001 Season. At the request of Councilmember Hardcastle, the City Clerk read the following memo from the Parks and Recreation Director:

City of Idaho Falls
January 25, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: GOLF FEE PROPOSAL

JANUARY 25, 2001

Attached for your consideration is the proposed golf fee schedule for the FY 2001 season. The proposed fees are being requested to eliminate revenue shortfalls as was experienced this budget year. The proposed fees are based on total pass sales and green fee rounds played in FY 2000. Comparisons of golf course visits by pass categories were reviewed to establish the percentage of increase for each pass category. The attached fee schedule was presented, reviewed, and received unanimous approval at the November 28, 2000 Golf Advisory Board Meeting. Attached is a letter from Dr. Ben Allen, Chairman of the Golf Advisory Board indicating the Board's recommendation for adoption of the proposed fee schedule. It is, therefore, submitted for your consideration and approval.

s/ David J. Christiansen

The letter from Dr. Ben Allen is as follows:

City of Idaho Falls
December 5, 2000

Honorable Mayor Linda Milam and City Council
City of Idaho Falls
P. O. Box 50220
Idaho Falls, Idaho 83405

Dear Mayor and City Council:

At the November 28, 2000 Golf Advisory Board Meeting, information was provided and presented regarding the FY 1999-2000 operational and revenue budgets for the Idaho Falls golf courses. It was noted that an \$114,963 shortfall on revenues existed at the conclusion of this year's golf course operations. As a corrective measure to eliminate such future shortfalls, the Golf Advisory Board recommends the attached fee schedule for FY 2000-2001.

The proposed fees were reviewed and unanimously endorsed by members of the Golf Advisory Board. It is, therefore, the recommendation of the Idaho Falls Golf Advisory Board that the attached proposed golf course fee schedule be adopted for FY 2000-2001.

s/ Ben Allen
Ben Allen
Chairman
Golf Advisory Board

Councilmember Hardcastle opened the public hearing to discuss the proposed increase of Golf Fees.

Kim Anselmo, 325 Luv Place, appeared to present the following information:

Mayor Milam and Ladies and Gentlemen of the City Council:

I am speaking for my father, Clifford Draper, as well as myself. We have lived here all our lives and have golfed on all the City courses as well as golfed around the country on many other courses. We appreciate the quality of these golf courses but are concerned with the City's proposed golf increases and

JANUARY 25, 2001

would like the Mayor and the Council to consider these main points before making any decision on these issues.

We would like to see the Council consider voting on the cart increase and the rate increases separately:

1. Medical carts have been limited in the past to seniors that had problems, were in need of extra equipment on the courses, or had been on the waiting list for this privilege for years. The proposed changes to this policy causes people that have been on that list to lose their cart status and also adds an extra burden of cost on to the senior on top of the current proposed increase.

While we agree that the golf courses should be able to fund themselves, there has been eight rate increases since 1986. These rate increases have not stopped the City from having to add to the revenue to make up budget deficits.

1. Why is the City budgeting for 1.5 million dollars for operation of the golf courses when historically revenues have been 1.2 million and 1.3 million?

National golf course associations all agree that golf is on the decline. Idaho Falls has seen that decline. In 1998, 132,905 rounds of golf were played vs. 129,120 in 2000, and only 118,137 in 1999. This is impacted greatly by weather, but we feel that with this added cost, Idaho Falls will lose additional golfers this next year causing yet another deficit.

Are there alternative revenue sources or budget cuts that can be made to keep the City from having these deficits? Pros make revenues off of sales, driving range, and lessons. The City of Idaho Falls pays for heat, lights, utility, and maintenance of equipment associated with these buildings. The City pays for additional personnel so that the Pros can travel and give lessons. It has been discussed in the past that the Pros should pay 3% to 4% of their gross take on these revenues back to the City towards golf course operation cost. Like charges have been assessed to concession operators why not the Pros?

Golf course operation exceeded their budget for salaries, wages, and seasonal personnel at all three golf courses by \$8,230.00 this year. As a business operator, I am held accountable for any overruns on my budgets and at times must cut back expense to keep in-line with budgeted costs. Are budget cuts implemented when overruns are occurring. Why was the golf course budget cut when revenues were not what was expected.

We agree that the golf courses should be able to pay for themselves but the City golfers are taxpayers also and while the City did pay for building the golf courses and the Aquatic Center was bonded it is still felt that if necessary to keep golf costs down, some tax dollars should go to the operation of them. Other things in the City are not self-funded. Aquatic Center, Zoo, Hockey, Recreation Center, shelters, baseball, basketball, do not bring all the revenues

to offset their costs. Maybe golfers should have a say where their tax dollars go into the City's recreational options.

JANUARY 25, 2001

Why are we targeting seniors for this kind of increase? There are many seniors in the town that were professionals at the site and this will affect them as well as seniors on social security benefits. All of the seniors I know are paying high medical expenses. Seniors that are more well to do typically leave this area and go south for the winter, the income that they bring back into this area adds money to the local business and golf revenues. Are we going to make it less attractive for them to come back into this area for the summer because of this?

Terry White, 710 East Elva, read the following statement pertaining to the Golf Fee increases:

Every time this issue has been brought before the general public, strong references are made that this increase is being sought by a citizen or Golf Advisory Board based on reacting to a directive from the City Council last July. The implication in this representation is that this issue has had considerable public input and that all the matters have been meticulously reviewed from July to that meeting held on Tuesday, November 28, 2000 in which the proposal to increase the fees was passed. I want us now to enter a "no spin zone" as Bill Reilly would say, because I want to try to correct this perception with facts from someone who truly, as a citizen, witnessed the process. On Tuesday, November 28, 2000, I attended the Golf Advisory Board Meeting as a private citizen. I was the only person representing the public at that meeting, and for the record, I have attended more Golf Advisory Board Meetings in the last four to five years than many of the members themselves. And, I also don't recall, by the way, that a member of the City Council was present that evening. I tried to verify that, today, with Mr. Christiansen's office. I did not get a phone call back. Four items that evening were on the agenda. They were discussed in the following sequence:

1. Revised City Golf Cart Policy.
2. Japanese Tourism in the use of our courses next summer.
3. Re-Appointment of two members: Mr. Wes Deist and Mr. Jerry Foss.
4. Proposed Rate Increase.

When it came time to address the proposed rate increase, it was approximately 8:00 p.m. Mr. Christiansen passed out approximately 17 pages of information to those sitting at the table. I want to reiterate that I was the only member of the public there and the gentleman did not have the courtesy to pass out or offer that information to me. It was that group, after seeing that information for the first time that night, an hour into the meeting, and after a brief discussion – 30 minutes or less – was asked to make a recommendation concerning the fee structure for next year that they could bring before you, the Council. My personal observations were that many were tired and overwhelmed by all of this information and that Mr. Christiansen once again, successfully, steered this group with concurrence and support, with a lot of eye winking acknowledgement from Mr. Deist going on, to the proposal which will undoubtedly be adopted tonight. As another side note, I have served on the Board of the Idaho Falls Men's Golf Association for the last six years and wish to advise you that we were uninformed that this issue was forthcoming. As such, it is clear that the votes cast that night by the Golf Advisory Board,

represented only those in attendance and not opinions from their constituents, because we were never given the opportunity to be heard. Later that week on December 1, 2000, I forwarded a letter to the Post Register on the subject under

JANUARY 25, 2001

consideration, which was a Letter to the Editor. I have been informed by the Post Register that this was the first time that even the local paper was aware that the City was proposing an increase in golf fees. So for my next step in December, I contacted the City Controller's Office, to request a detailed financial information concerning revenues and expenditures for the Parks and Recreation Department. They reluctantly responded to my request. After spending a considerable amount of time going through this information, I prepared an analysis detailing those activities that are apparently subsidized by the General Fund that through taxes received from a specific Parks and Recreation Levy. I also gleaned the Idaho Falls golf course budgets in the best detail that I could, not just the 6 lines of information that was presented to the Golf Advisory Board and compared them to the budget from the Blackfoot course so that we have something to at least compare. I then contacted Councilman Lehto by phone and discussed my concerns and the information. He expressed to me at that time that he might have difficulty in not supporting this increase because when it was presented to the Council, it was presented that this thing was unanimously approved by the Golf Advisory Board. Bear in mind that at that meeting, Mr. Christiansen is sure that the Board is presented with as little factual information as possible and meets to agree with his decision. After a lengthy discussion with Mr. Lehto, I then forwarded this information along with 13 pertinent questions that I thought deserved an answer for those considering this increase on January 5, 2001. Two weeks, on January 18, 2001, I contacted Mr. Lehto again, because I did not receive a response from the City to my questions. During that conversation, I was informed that he was meeting with the newspaper and that the answers to my questions were ready. He also informed me that my presentation was much more detailed than what Mr. Christiansen provided the Council at their Work Session. He concluded the conversation by assuring me that I would receive specific answers to my questions. As of tonight, I still have not received a response from the City. Therefore, I am here tonight asking this body, publicly, when I might expect an answer to the questions and issues which surfaced as a result of working in and through the facts. In conclusion, I urge the City Council to find the facts, including answers to my questions, so that you can make an informed decision. Your failure to do so will leave many of the golfing public believe that you have been hoodwinked by the process. That's all I have to say. I do want to thank Mr. Groberg who did take the time to respond to me as I did write to him. Thank you very much.

Gene Perry, 3831 Woodhaven Lane, appeared to submit the following information in support of Mr. White's testimony:

1. In my opinion, the proposed rates are not out of line with value.
2. Apparently City is proposing to run golf like a business that, as a minimum, breaks even. Does the City have a business plan for running City golf? Have you evaluated increasing revenue by increasing play instead of rates? Have you evaluated decreasing the cost to increase profit? Or was the only option presented the Golf Advisory Board variations of a rate increase?

-
-
3. The information presented to the Golf Advisory Board is not complete; thus recommendations are based on lack of information. The Golf

JANUARY 25, 2001

Advisory Board is not an elected organization and is an extension of the Parks and Recreation Department. It is totally ineffective as a business management tool.

4. The questions asked by Mr. White deserve answers. Will this Council commit to providing these answers and information he requested?
5. For comparisons:
 - The Zoo lost \$378,000.00 last year
 - Cemeteries lost \$309,000.00 last year
 - The Aquatic Center lost \$151,000.00 last year
 - Sandy Downs lost \$87,000.00 last year
 - John's Hole bridge lost \$65,000.00 last year
 - The City paid over \$1,500,000.00 for Parks Maintenance last year
 - Golf paid \$47,500.00 to help pay for Parks and Recreation Administration and is reported to have cost the city another \$62,000.00.
6. Blackfoot manages it's one golf course at a significantly less cost than the average of our courses. The quality of the maintenance of the Blackfoot course is not less than Idaho Falls. If Blackfoot was a business competitor, we would study how they manage their City Golf Program so much more cost effectively wouldn't we?
7. Sage Lakes was not built to the Architect's specifications. The course design has fairway and green side sand bunkers. Sand Creek also suffers from lack of sand bunkers. If the City is running golf like a business, a master plan for course completion or improvement should be available. Does the city have one?
8. If this were my business, the impact of the elimination of season passes would be very carefully evaluated because of the considerable decrease in play this would cause. If you are considering this as today's paper indicates, I would expect to see a credible study completed that addresses the impact of this change on the welfare of City golf. I would also expect this study to be presented to the public prior to this action. Will you commit to this?

Councilmember Lehto stated that he had a copy of the answers to the questions provided by Terry White. Following are the questions from Mr. Terry White regarding golf course operation and expenditures:

1. Can someone explain the large discrepancy in labor costs when comparing annual expenditures of the average IF golf course to the Blackfoot golf course during the same fiscal year?

2. When (what year?) did the administrative transfer start being allocated to golf and has the amount remained constant over the years? How is the amount allocated and what is the benefit derived by the golfing public or

JANUARY 25, 2001

courses? Also, what is the national for determining which parks and recreation programs absorb this transfer?

3. Can someone explain the large discrepancy in Repair/Maintenance of Equipment and Depreciation/Capital Equipment when comparing IF courses to Blackfoot? Can a list of what equipment is being depreciated and being maintained for the sole benefit of golf courses be provided?
4. What is the financial standing of the City's Equipment Department and/or Cost Center as to the end of last year? Can a full and accurate accounting and explanation of the City's MERF system for equipment be explained?
5. Please provide a full accounting of the golf capital improvement fund. Is interest credited to this fund and how are decisions made as to when and how capital improvement funds are allocated?
6. How much additional revenue will be raised next year with the already approved increase passed for the driving range?
7. How are General Fund and Recreation tax revenues apportioned or applied to either Parks or Recreation Programs? Who determines which entities (activities) are tax subsidized and those that have to be self-supporting?
8. Why isn't the revenue received for refund items such as Worker's Compensation and Health Insurance allocated back to areas or cost centers based on utilization of labor?
9. Is there a Joint Use Agreement in place that allows High Schools the use of Golf Courses free of charge in exchange for the City using school gymnasiums for recreational basketball programs? If so, how is this implied revenue recognized?
10. Are the maintenance/operating costs for the Recreation Center on Memorial Drive as well as those associated with maintaining softball diamonds, tennis courts, and soccer areas included under Parks Maintenance (Cost Center 264) resulting in a distortion of what these programs really cost to operate on an annual basis?
11. Is it true that there have been discussions relative to eliminating "season passes" and operating golf in this City on a strict pay to play basis? If so, who has raised this funding concept and how has it been received during those discussions?
12. Who is accountable to the public on golf and willing to address concerns regarding maintenance and other issues?

13. Lastly, have taxpayers, both individual and businesses, ever been presented with the option of expressing where they would like their tax dollars utilized when it comes to funding and maintaining Parks and Recreation Programs?

JANUARY 25, 2001

The following memo was provided in answer to Mr. White's questions from the Parks and Recreation Director:

City of Idaho Falls
January 17, 2001

MEMORANDUM

TO: Mike Lehto, City Council
FROM: David J. Christiansen, Parks and Recreation Director
SUBJECT: TERRY R. WHITE/QUESTIONS CONCERNING GOLF COURSE OPERATIONS

I offer the following information for your review with regard to Mr. White's questions presented to you in his January 5, 2001 letter.

1. **Labor Costs – Mr. White has asked us to compare labor costs with Blackfoot G. C.** – As in past comparisons with Blackfoot G. C. our budgets differ for a number of reasons. Blackfoot does not have a MERF program. Repair and maintenance of equipment is not included as a line item in Blackfoot's expenditures. Blackfoot does not have a MERF irrigation program. Blackfoot does not have a Capital Improvement Fund Program in which they schedule capital projects against. Blackfoot includes administrative expenses for the Professional, Shop Help, Golf Course Foreman, Seasonal Staff, and ½ Parks and Recreation Director Salary. In comparison, the two entities schedule their budgets differently due to the fact that we both manage our facilities differently. I truly don't know if it is fair to try to compare the two.
2. **Administrative Transfer** – The administrative transfer started in 1994. Transfers to the golf operations started after the Golf Course Manager retired and there no longer were salary costs or benefit costs associated with that position. Administrative costs are transferred to the various Parks and Recreation Departments (Recreation, Parks, Golf Courses, and Zoo). Each Department is assessed an equal share of the transferred amount with the golf operation each taking a third of that Department cost. The amounts transferred have not remained constant due to the fact that budget **261 Administration** has gone up because of employee costs and administrative costs. The benefit to the golf courses as well as the other respective Departments is the direct costs attributed to administering these Departments.
3. **Repair and Maintenance/Depreciation** – Municipal Services is responsible for these amounts with respect to maintenance of equipment and the MERF program. Most of the costs are associated with the amount of pieces of equipment assigned to each course and the actual cost of each piece of equipment.
4. **MERF System/Equipment Accounting** – Municipal Services can provide you with this information.

5. **Capital Improvement Fund** – The City Treasurer has the financial report for the Capital Improvement Fund. This report shows what is

JANUARY 25, 2001

projected as revenue and what the actual revenues were associated with that account for that respective year. The City Treasurer invests this money – it does accrue interest. Capital projects are then scheduled during each budget year and those project costs are then offset with money from the Capital Improvement Fund.

6. **Driving Range Revenue** – It is **projected** that the driving ranges should produce approximately \$4,000.00 - \$5,000.00 in additional revenue based on the \$.50 fee increase. This projection is based on percentage of large and small range ball bucket sales that were processed in 1999/2000. This projection does not factor in any new growth in sales for 2000/2001.
7. **General Fund and Recreation Taxes** – I think you may have the answer to this question or questions.
8. **Worker's Compensation/Health Insurance** – Municipal Services may have this information.
9. **Joint Use Agreements** – Yes, we have Joint Use Agreements with both School Districts to allow the high school golf teams access to the golf courses. The selected High School Team members are required to give service hours back to the golf courses. I might point out that the City allows access to many of the City's Parks and Recreation facilities to the School Districts (i.e., Tennis Courts, Freeman Park – Cross Country, McDermott Field, Softball Fields, Recreation Center, etc.). In turn, the City's Parks and Recreation Programs have been allowed access to the School District Facilities. There is no implied revenue exchanged for the use of the facilities.
10. **Recreation Center/Maintenance Costs (264)** – The costs associated with the operation and maintenance costs for the Recreation Center on Memorial Drive are coded to the Recreation Fund Budget (561 and 562). The revenues taken in from programs such as adult softball, tennis lessons, knothole and Bobbie-sox baseball, etc. are accounted for in the Recreation Funds Revenues. The costs for maintaining or improving those playfields, etc. are accounted for and budgeted in cost center (264).
11. **Season Pass Elimination** – There have been previous discussions both from the staff and administration with regard to eliminating golf passes. The outcome of those discussions has been mixed at best. Our intent in our approach to discussing the possibility of pass elimination has been to accomplish eliminating the revenue shortfalls.
12. **Accountability** – Staff and City Administration are responsible.
13. **Taxpayer's Tax Dollars** – The City has a Parks and Recreation Master Plan (1995) in which the public was surveyed and asked where they wanted their tax dollars spent, what projects they wanted to fund, and

what they were willing to pay to have these programs. The City has conducted budget open house forums for the past several years to allow

JANUARY 25, 2001

public input on the Parks and Recreation budgets. Unfortunately, we have had little or no public input.

s/ David J. Christiansen

Councilmember Lehto stated, referring to Item No. 8 from Mr. Perry, that the context with the discussion with the reporter from the Post Register, was all of the issues and proposals that had been brought forward from all of the mail received concerning this issue.

Tony Olenichak, 814 Raymond Drive, appeared to state that he had the opposite experience of the previous testifiers. He gave a special thanks to Councilmember Lehto and Councilmember Eldredge for answering all of his questions. He stated that he did not have sufficient data or expertise to evaluate the costs of running the Idaho Falls golf courses. He realized that the Council has no choice but to raise the fees if the costs are not reduced. However, he pointed out the deficiencies in the proposed plan for the fee increases. He stated that he is unable to afford an annual pass. He evaluated the total number of rounds and the total costs, resulting in a fee that needed to be charged for each round of golf, eliminating all passes or discounts. With the issuance of passes and discounts, he suggested that the proposed plan needs to have an additional charge for non-residents of the City for annual passes. The fees need to be raised for the annual passes, at least equaling the cost of 35 daily rounds. The schedule does not include a discount for seniors and juniors on a daily basis. If an annual pass is not purchased, a junior does not have an option of a cheaper fee. Mr. Olenichak suggested a 20% discount for seniors and a 40% discount for juniors on a daily basis for a greens fee. He also suggested that one of the golf courses could be excluded from passes, with a lower daily greens fee for a pass. For those who could not afford an annual pass, that course could be designated for a cheaper fee.

Ralph Alexander, 721 Hansen Avenue, appeared to suggest that cell phones be prohibited on the golf course. He expressed his concern over students from schools coming onto the golf courses and working for 10 hours. He questioned why the School District was not paying for this. If anyone under the age of 16 gets injured, there will be a legal problem.

Mayor Milam requested the City Attorney look into this issue.

Mr. Alexander agreed with Mr. Olenichak in that there should be a non-resident pass. The City of Idaho Falls has the cheapest golf courses in the northwest. The daily fees for non-residents should be \$20.00 whether it is on weekdays or weekends. The resident passes could be reduced by \$15.00, with the additional money being picked up from the non-resident passes. As Bonneville County does not provide any moneys to the City of Idaho Falls for recreational programs, the non-resident annual pass should be raised to approximately \$40.00 above the resident passes. The City of Idaho Falls has some of the top professionals in the area and they should be commended for the way they work the golf courses.

Fern Stockton, 2775 Plommon, appeared to comment that just because the City has the lowest rates in the area does not mean that the rates need to be increased. The City of Idaho Falls does not need to match the other golf courses in the area for their increased fees. She also commented that Blackfoot and Pocatello allow carts on their courses without a doctor's prescription. People should be allowed to have carts on the golf courses if they are needed. If the golf fees are increased, the fees for the zoo and the aquatic center need to be raised also. The fees for juniors should not be decreased, while the fees for seniors are increased. All programs should support themselves. There is a golf tournament being played on at least one golf course every weekend. If passes were taken away from one golf course, golfers would have less play time at the other golf courses.

Brent Dixon, 2654 Glenwood, appeared to state that non-resident season passes need to be raised. Weekends are busier than weekdays, and a \$1.00 differential is

JANUARY 25, 2001

not enough of an incentive to shift from weekends to weekdays. Tournaments get prime time tee times on weekends and holidays months in advance. The tournament players should not be against paying an additional fee for that special privilege. People playing in the tournaments should not be allowed to use their golf passes, but should pay a regular greens fee while in the tournament.

Dick Jenkins, 1932 Masters, appeared to discuss the development of the golf cart fees. He expressed his concern for the elimination of golf carts all together and for the increase of those fees. Medical carts are needed and should not be limited. Mr. Jenkins cited several examples of golf courses and their use of carts.

Dyer Stockton, 2775 Plommon, appeared to state that he has reviewed the overrun. He requested to know whether the resurfacing of the parking lots was factored into that overrun.

Mayor Milam stated that the resurfacing of the parking lots come from separate budgets.

Don Holverson, 1075 Bear Avenue, appeared to state that he respected the City Council. He stated that if the Golf Course fees needed to be raised, he trusted the City Council to make the right decision. The Golf Courses should be self-supporting. Golf Courses increase the tax base for the City of Idaho Falls. Golf Courses are needed, just the same as the Arts Center and Greenbelt are needed.

Councilmember Lehto requested to know whether Mr. White and Mr. Perry wanted to make any further comments with regard to the answers to the questions that were provided to them. Mr. White stated that he would like more time to review the answers.

Rick Carsone, 3460 Grove Lane, appeared to state that he has heard a lot from the opponents of this issue. There are a lot of people and a lot of ideas for how to remedy the shortfall. At the Golf Advisory Board Meeting, it was presented to the Board that revenues needed to be raised and that needed to be done in a format that was easy to administer. He explained that Mr. White was at the Golf Advisory Meeting. Mr. Carsone explained that the Parks and Recreation Director presented a sizeable sum of information. The numbers from the entire season were needed to determine where the City stood with rounds of golf and what was generated. There is not a better value that can be found in Idaho Falls. The Golf Digest provides ratings every year of golf courses. Pinecrest Golf Course received a 4-star rating. There are only two courses in the state that get a higher rating than Pinecrest Golf Course. The City of Idaho Falls Golf Courses and the City of Blackfoot Golf Course cannot be compared. There is a junior course at Sand Creek, with 500 juniors in that program. Decisions have been made over the past 10-15 years for golf in Idaho Falls that have been incredible. The quality of play that the City gets for the price that is paid is way above anything found anywhere else.

Wade Nelson, 823 Anthon, appeared to state that he represented the Idaho Falls Junior Golf Association. He stated that he is a volunteer for that Association and he promotes golf in this community.

Councilmember Hardcastle requested the staff to come forward to assist in answering any questions.

Mayor Milam explained that each daily green fee has a \$.50 charge attached to it. If a season pass is purchased, a \$15.00 charge is attached to that. Those fees are accounted for separately in a Capital Improvement Fund for the Golf Courses. Those moneys were used to pave the parking lots at Sand Creek Golf Course and Sage Lakes Golf Course, and other capital improvements made to the Golf Courses.

Councilmember Hardcastle stated that the Mayor and Council would be looking at the implementation of Non-Resident Fees.

Tim Reinke, 701 East Elva, appeared to state that he is the Pinecrest Golf Course Professional. The golf carts are a hot issue and this issue has been looked at. There was a concern over the policing of the non-medical carts on the golf courses. The medical

JANUARY 25, 2001

carts are not creating any problems. At this time, it was determined that only 45 medical golf carts for all three courses would be allowed. That is only a starting point and can be reconsidered.

Councilmember Hardcastle stated that the City of Idaho Falls has a long-range plan in place for the City Golf Courses. Mayor Milam stated that the City has a Capital Improvement Plan which each of the Divisions contribute to.

Councilmember Hardcastle requested to know whether the City of Idaho Falls could be considered as a destination for golfing. Tim Reinke stated that Pinecrest Golf Course is the tourist's favorite of all the golf courses.

Councilmember Lehto questioned whether Mr. Reinke attended the Golf Advisory Board Meetings. Mr. Reinke stated that he did attend those meetings. Councilmember Lehto requested to know whether the Golf Advisory Board Meetings were open to the public. Mr. Reinke stated that they are open to the public, and that it is the purpose of the Golf Advisory Board to take comments about the golf courses.

Councilmember Hardcastle stated that no Councilmembers were in attendance at the November 28, 2000 Golf Advisory Board Meeting. That was her decision, as she did not want to influence the decision, as a Councilmember, of the Golf Advisory Board Members. She stated, further, that the proposed increase of golf fees has been legally advised in a timely manner, according to Idaho Law.

Mayor Milam stated that the need to revisit the rates was discussed during the budget process, which was covered, by television, newspaper, and multiple meetings.

Councilmember Hardcastle stated that the Golf Advisory Board was instructed more than a year ago that if the golf courses experienced a shortfall for one more year, something would have to be done to increase revenues. Several discussions have been held among Council and the Golf Advisory Board regarding a proposed increase in fees.

Gene Perry, 3831 Woodhaven Lane, re-appeared to state that the \$63,000.00 shortfall amount was determined by taking the \$114,000.00 minus the Administrative Transfers.

The Municipal Services Director appeared to state that the shortfall in the golf courses is approximately \$114,000.00. The Administrative Transfer is a result of the Golf Course Manager not being replaced upon his retirement. Those duties were assigned to the Parks and Recreation Director. Those administrative costs were allocated back to the golf courses. The Municipal Services Director invited anyone with a concern to come in and spend some time in the Controller's Office for an explanation of how the City budget operates. He stated that the City receives \$15,900,000.00 in taxes with a budget of \$109,000,000.00. Therein lies the problem of where tax dollars are to be allocated.

Kim Anselmo, 325 Luv Place, re-appeared to state that she has been checking on the proposed golf fee increases since June, 2000. She gave a brief explanation of how she arrived at her figure of \$63,818.00 for the shortfall at the golf courses. She requested, again, to know what the shortfall really was.

Councilmember Rose stated that he had confidence in the figures that were provided by the Controller's Office as to what the shortfall is. Councilmember Hardcastle agreed with Councilmember Rose.

Councilmember Hardcastle explained that the season pass was a 45% discount from the regular fee, with the new fee being a 37% discount. She explained that there were others who felt that the fee increase should be larger.

Councilmember Lehto reviewed several options for how to balance the golf course budgets that have been submitted as solutions, but felt that the Golf Advisory Board was the place to review and determine the best approach for how to manage the golf courses.

Councilmember Hardcastle stated that the City Council is aware of the fact that moneys were lost in several other programs from Parks and Recreation, and are working to get a handle on those issues. She answered the comment regarding why the City of Idaho

JANUARY 25, 2001

Falls needs to have a Zoo Hospital. The Zoo Hospital is being paid for from a grant from the CHC Foundation and provides an easier method of taking care of the animals at the Zoo.

Terry White, 710 East Elva, re-appeared to state that he was only attacking the process and suggested that maybe new people should be appointed to the Golf Advisory Board to provide new ideas.

Councilmember Groberg stated that many of the good ideas that have been presented could be brought before the Golf Advisory Board on an ongoing basis. With the long-standing goal that the City Council has had for the golf courses to be self-sufficient, the City Council needs to be concerned that this is accomplished so infrequently. Broader application of business principles need to be looked at. With the big investment that the citizens of this City have with the golf courses, the citizens should have a significant benefit as opposed to non-residents. The City Council is looking carefully at how to implement the non-resident fees with the coming budget year.

Councilmember Klingler stated that they have played golf in other areas, and the City of Idaho Falls provides a great value with the City's golf courses. She stated that the increases to the golf fees at this time may just be a band-aid and the Golf Advisory Board and City Council need to look at all suggestions to improve the budget expenditures and revenues.

A brief discussion was held whether to consider the medical golf cart fee increases separate from the other golf fee increases.

Councilmember Eldredge stated that the weather seems to have more of an influence on golf than anything else. The golf fees need to cover the costs of golf and they need to be sufficiently high enough that a reserve can be built. The City Council needs to have \$300,000.00 to \$400,000.00 in the bank to cover the costs of golf when a bad year comes along.

There being no further discussion either in favor of or in opposition to this matter, it was moved by Councilmember Hardcastle, seconded by Councilmember Rose to adopt the proposed fee increases for the golf program. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

Following a brief recess, the Airport Director submitted the following memo:

City of Idaho Falls
January 24, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mike Humberd, Director of Aviation

SUBJECT: FY-2001 FAA GRANT ACCEPTANCE

JANUARY 25, 2001

Attached for City Council acceptance is the FY-2001 FAA Grant. This year's grant is for \$1,407,635.00 and it will be used for the terminal renovation project. This is the first of two grants that will be used for this project.

The Airport Division recommends acceptance and requests the Mayor be authorized to execute the document.

s/ Mike Humberd

It was moved by Councilmember Groberg, seconded by Councilmember Hardcastle, to accept the Grant from the Federal Aviation Administration for the Terminal Renovation Project and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

The Idaho Falls Power Director submitted the following memos:

City of Idaho Falls
January 23, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: CONSULTING SERVICES AGREEMENT WITH WILLIAM COALE

Attached for your consideration is a Consulting Services Agreement between the City and William Coale. The City Attorney has reviewed the Agreement.

Idaho Falls Power requests approval of this Agreement and authorization for the Mayor to execute the document.

s/ Mark Gendron

Councilmember Eldredge explained that Mr. Coale has been working for the City of Idaho Falls on the fiber optic project. It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to approve the Consulting Services Agreement with William Coale and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Rose

JANUARY 25, 2001

Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: OLD LOWER POWER PLANT TAILRACE CONCRETE
REFURBISHMENT PROJECT NO. 2-37-25-3-ELE-99-30 -
RECOMMENDATION FOR AWARD

Attached for your consideration is the bid tabulation for the Old Lower Power Plant Tailrace Concrete Refurbishment Project. Idaho Falls Power recommends that the project be awarded to the low apparent bidder, Vern Clark and Sons Company, Inc. in the amount of \$52,800.00.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to award the bid for the Old Lower Power Plant Tailrace Concrete Refurbishment Project to Vern Clark and Sons Company, Inc. and, further, give authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Mark Gendron, Idaho Falls Power Director
SUBJECT: IDAHO ENERGY AUTHORITY SERVICE SCHEDULES 3 AND 4

JANUARY 25, 2001

Attached for your consideration are Service Schedule No. 3 – Power Supply and Related Services Study Project, and Service Schedule No. 4 – Joint Procurement Services, both projects under Idaho Energy Authority.

Idaho Falls Power recommends approval of these documents and requests authorization for execution by the Mayor.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Klingler, to approve Service Schedule No. 3 – Power Supply and Related Services Study Project, and Service Schedule No. 4 – Joint Procurement Services with Idaho Energy Authority and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CHANGE ORDER NO. 1 FOR ROOF FIRE VENTS

Please find attached for your consideration is the Change Order No. 1 in the amount of \$568.00 for relocating fire sprinkler heads at the Civic Auditorium. Said sprinkler heads are in the way of the new roof fire vents.

It is respectfully requested that the City Council approve the Change Order and authorize the Mayor to execute said document.

s/ S. Craig Lords

It was moved by Councilmember Klingler, seconded by Councilmember Lehto, to approve Change Order No. 1 to R. E. Beck Construction, Inc. for the Roof Fire Vent Replacement at the Civic Auditorium and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Klingler
Councilmember Hardcastle

JANUARY 25, 2001

Councilmember Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT OF THE VILLAGE, DIVISION NO. 5

Attached is the Final Plat for The Village, Division No. 5. A Final Plat was accepted by the Council when the annexation and initial zoning request was approved for the 5th Division of The Village. However, the Final Plat was not recorded by the applicant, and the applicant is now submitting this Final Plat, which reduces the number of single-family lots from 15 to 13 lots. At the July 6, 2000 Meeting, the Council approved a variance for the length of the cul-de-sac since the homes to be built on Hudson Street will be single-family detached homes which reflects the intent of the Subdivision Ordinance. The Planning Commission considered this revised Plat at its January 9, 2001 Meeting and recommended approval. This Final Plat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for The Village, Division No. 5 and, further, give authorization for the Mayor, City Engineer, and City Clerk be authorized to sign said Final Plat. Roll call as follows:

Aye: Councilmember Rose
Councilmember Eldredge
Councilmember Lehto
Councilmember Klingler
Councilmember Hardcastle
Councilmember Groberg

Nay: None

Motion Carried.

JANUARY 25, 2001

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: FINAL PLAT OF THE VILLAGE, DIVISION NO. 6

Attached is the Final Plat for The Village, Division No. 6. A Final Plat was accepted by the Council when the annexation and initial zoning request was approved for the 6th Division of The Village. However, the Final Plat was not recorded by the applicant, and the applicant is now submitting this Final Plat, which reduces the number of single-family lots from 20 to 18 lots. The Planning Commission considered this revised Plat at its January 9, 2001 Meeting and recommended approval. This Final Plat is now being submitted to the Mayor and Council for consideration.

s/ Renée R. Magee

It was moved by Councilmember Rose, seconded by Councilmember Eldredge, to accept the Final Plat for The Village, Division No. 6 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign said Final Plat. Roll call as follows:

Aye: Councilmember Lehto
Councilmember Eldredge
Councilmember Hardcastle
Councilmember Groberg
Councilmember Rose
Councilmember Klingler

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: SUPPLEMENTAL AGREEMENT – SUNNYSIDE ENVIRONMENTAL
ASSESSMENT – PROJECT NO. 2-37-25-3-STR-98-28

Attached is a Supplemental Agreement to the Sunnyside Environmental Assessment Agreement between the City and SERG, Inc., for items of work not earlier identified, but now required by the Federal Highway Administration,

which include Air Quality Analysis, Environmental Justice Data, Added Cumulative Impacts Information, and Expanded Noise Analysis. This

JANUARY 25, 2001

Supplemental Agreement will increase the not-to-exceed amount of the original Agreement by \$70,000.00.

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

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Supplemental Agreement to the Sunnyside Environmental Assessment Agreement between the City of Idaho Falls and SERG, Inc. and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Lehto
Councilmember Rose
Councilmember Groberg
Councilmember Klingler
Councilmember Hardcastle

Nay: None

Motion Carried.

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ENGINEERING SERVICES AGREEMENT – WATER SYSTEM
SCADA IMPROVEMENTS

Attached is a proposed Engineering Services Agreement with Black and Veatch to provide engineering services with respect to upgrades to the water system Supervisory Control and Data Acquisition System. The total amount for these services including design, bidding and construction phases shall not exceed \$36,378.00.

Public Works recommends approval of these Agreements; and, authorization for the Mayor and City Clerk to sign the documents.

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Engineering Services Agreement with Black and Veatch to provide engineering services with respect to upgrades to the water system Supervisory Control and Data Acquisition System

and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

JANUARY 25, 2001

Aye: Councilmember Hardcastle
Councilmember Klingler
Councilmember Eldredge
Councilmember Lehto
Councilmember Groberg
Councilmember Rose

Nay: None

Motion Carried.

City of Idaho Falls
January 22, 2001

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ENGINEERING SERVICES AGREEMENT – WELL NO. 2
ELECTRICAL/MECHANICAL UPGRADE

Attached is a proposed Engineering Services Agreement with Black and Veatch to provide engineering design and construction services for electrical and mechanical upgrades at Well No. 2, in an amount not to exceed \$32,855.00.

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

s/ Chad Stanger

It was moved by Councilmember Lehto, seconded by Councilmember Groberg, to approve the Engineering Services Agreement with Black and Veatch to provide engineering design and construction services for electrical and mechanical upgrades at Well No. 2 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

Aye: Councilmember Groberg
Councilmember Rose
Councilmember Klingler
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Lehto

Nay: None

Motion Carried.

There being no further business, it was moved by Councilmember Rose, seconded by Councilmember Klingler, that the meeting adjourn at 10:50 p.m.

CITY CLERK

MAYOR
