

**FEBRUARY 11, 1999**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, February 11, 1999, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam  
Councilmember Ida Hardcastle  
Councilmember Beverly Branson  
Councilmember Brad Eldredge  
Councilmember Larry Carlson  
Councilmember Joe Groberg  
Councilmember Gary Mills

Also present:

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

Mayor Milam requested Boy Scout Rusty Lewis to come forward and lead those present in the Pledge of Allegiance.

The City Clerk read a summary of the minutes for the January 28, 1999 Regular Council Meeting. It was moved by Councilmember Branson, seconded by Councilmember Eldredge, that the minutes be approved as read. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Carlson  
Councilmember Mills  
Councilmember Groberg  
Councilmember Branson  
Councilmember Hardcastle

Nay: None

Motion Carried.

**CONSENT AGENDA ITEMS**

Mayor Milam requested Council confirmation of the appointment of Royce Clements to serve on the Traffic Safety Committee.

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

The City Clerk presented several license applications, including BEER LICENSES to Bopoz Korner and Karen's Park Avenue Club; BARTENDER PERMITS to Veran Cook, James E. Czeski, Hollie K. Gilbert, Lois A. Hahn, Angel Klabenes, Pauline L. Lee, John A. Painter, Laurie A. Skaar, and Cindy L. Whitmill, 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 February 11, 1999.

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

Aye: Councilmember Mills  
Councilmember Groberg  
Councilmember Carlson  
Councilmember Branson  
Councilmember Hardcastle  
Councilmember Eldredge

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

The City Clerk presented the following Expenditure Summary dated January 1, 1999 through January 31, 1999, after having been audited by the Fiscal Committee and paid by the Controller:

<b><u>FUND</u></b>	<b><u>SERVICE AND MATERIALS</u></b>	<b><u>GROSS PAYROLL</u></b>	<b><u>TOTAL EXPENDITURE</u></b>
General Fund	\$1,750,698.83	\$987,979.24	\$2,738,678.07
Street Fund	119,784.28	55,380.67	175,164.95
Airport Fund	66,138.25	25,343.00	91,481.25
Water and Sewer Fund	241,944.08	121,980.35	363,924.43
Electric Light Fund	1,482,643.44	233,852.97	1,716,496.41
Sanitation Fund	56,848.15	62,730.28	119,578.43
Recreation Fund	39,711.68	31,545.87	71,257.55
Library Fund	113,908.48	49,970.74	163,879.22
Bridge and Arterial Street Fund	741.43	.00	741.43
Ambulance Fund	156,879.66	59,772.61	216,652.27
Municipal Equipment Replacement Fund	35,602.57	.00	35,602.57
BPA Weatherization Loan Fund	32,028.34	.00	32,028.34
Swimming Pool G. O. Bond	174,605.00	.00	174,605.00
<b>TOTALS</b>	<b>4,271,534.19</b>	<b>1,628,555.73</b>	<b>5,900,089.92</b>

It was moved by Councilmember Branson, seconded by Councilmember Eldredge, to ratify the payment of the expenditures for the month of January, 1999. Roll call as follows:

Aye: Councilmember Carlson  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Mills  
Councilmember Branson

Nay:           None

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Motion Carried.

Mayor Milam requested Councilmember Mills to conduct Annexation Proceedings for Falls Plumbing Plaza, Division No. 1. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
February 7, 1999

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: FALLS PLUMBING PLAZA, DIVISION NO. 1

Attached are the Final Plat, the Annexation Agreement, and the Annexation Ordinance for Falls Plumbing Plaza, Division No. 1, a one lot plat and annexation north of East Anderson Street and east of the Union Pacific Railroad. The requested zoning is HC-1. The plat contains 5.70 acres. Since a portion of the property is presently within City boundaries, the annexation request encompasses 4.92 acres. The Planning Commission considered this annexation request at its December Meeting and recommended approval of the Final Plat, Annexation, and initial zoning of HC-1. The Planning Department concurs. This request is now being submitted to the Mayor and City 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
Slide 2	Aerial Photo
Slide 3	Final Plat
Slide 4	Looking from south, from behind NAPA Auto Parts Store
Slide 5	Southwest corner looking west
Slide 6	Looking east from behind NAPA Auto Parts Store
Exhibit A	Planning Commission Minutes
Exhibit B	Staff Report

Councilmember Eldredge questioned whether this property is under one ownership. The Planning and Building Director stated that it was under one ownership. Councilmember Eldredge requested to know how far the access to this property was from Holmes Avenue. The Planning and Building Director stated that the access is approximately 300 feet from Holmes Avenue and meets the Access Management Plan.

Dean Olsen, 1055 Northgate Mile, appeared as the owner of Falls Plumbing and Supply and developer of this property. He stated that he is out of room in his present location. He purchased this piece of property with plans of moving in the future.

There being no further discussion either in favor of or in opposition to this annexation request, it was moved by Councilmember Mills, seconded by Councilmember

Groberg, to accept the Final Plat for Falls Plumbing Plaza, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

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Aye: Councilmember Branson  
Councilmember Hardcastle  
Councilmember Mills  
Councilmember Eldredge  
Councilmember Carlson  
Councilmember Groberg

Nay: None

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Annexation Agreement for Falls Plumbing Plaza, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Mills  
Councilmember Branson  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Carlson

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2304**

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 Mills moved, and Councilmember Groberg 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 and the Ordinance be passed on all three readings. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Carlson  
Councilmember Mills  
Councilmember Groberg  
Councilmember Branson

Councilmember Hardcastle

Nay: None

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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 Mills, seconded by Councilmember Groberg, to establish the initial zoning of Falls Plumbing Plaza, Division No. 1 as HC-1 (Limited Business) 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 Mills  
                  Councilmember Groberg  
                  Councilmember Carlson  
                  Councilmember Branson  
                  Councilmember Hardcastle  
                  Councilmember Eldredge

Nay:            None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct Annexation Proceedings for Savefast Addition, Division No. 1. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
February 7, 1999

MEMORANDUM

TO:            Mayor and City Council  
FROM:        Renée R. Magee, Planning and Building Director  
SUBJECT:     SAVEFAST ADDITION, DIVISION NO. 1

Attached are the Final Plat, the Annexation Agreement, and the Annexation Ordinance for Savefast Addition, Division No. 1, a one-lot plat south of West Broadway and east of Saturn Avenue. The requested zoning is HC-1. The plat contains 1.31 acres. Most of the property is presently within City boundaries, so the annexation request encompasses only 0.21 acres. The Planning Commission considered this annexation request at its December Meeting and recommended approval of the Final Plat, Annexation, and the initial zoning of HC-1. The Planning Department concurs. This request is now being submitted to the Mayor and City 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

Slide 2

Aerial Photo

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Slide 3	Final Plat
Slide 4	Savefast Site
Slide 5	Savefast Site looking west
Exhibit A	Planning Commission Minutes
Exhibit B	Staff Report

The Planning and Building Director explained that there are two access points to this development, one immediately west of the utility pole and one that is approximately 20' to 30' from the Saturn Avenue and Broadway intersection. It has been written into the Annexation Agreement, that if the land use changes or of the site is redeveloped then the access point that is closest to the Saturn Avenue and Broadway intersection will be closed.

Kenlon Johnson, 2695 South Boulevard, appeared as the President of Forde Johnson Oil Company and the developer of this property. He stated that his company has owned and operated a gasoline facility on this site since the late 1950's. This facility has been remodeled several times. Mr. Johnson stated that it has become time to tear down the existing facility and replace it with a more modern facility.

There being no further discussion either in favor of or in opposition to this annexation request, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to accept the Final Plat for Savefast Addition, Division No. 1 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Branson  
Councilmember Eldredge  
Councilmember Carlson  
Councilmember Groberg  
Councilmember Mills

Nay: None

Motion Carried.

It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Annexation Agreement for Savefast Addition, Division No. 1 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Branson  
Councilmember Hardcastle  
Councilmember Mills  
Councilmember Eldredge  
Councilmember Carlson  
Councilmember Groberg

Nay: None

Motion Carried.

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



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**ORDINANCE NO. 2305**

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 Mills moved, and Councilmember Groberg 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 and the Ordinance be passed on all three readings. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Mills  
Councilmember Branson  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Carlson

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 Mills, seconded by Councilmember Groberg, to establish the initial zoning of Savefast Addition, Division No. 1 as HC-1 (Highway Commercial) 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 Eldredge  
Councilmember Carlson  
Councilmember Mills  
Councilmember Groberg  
Councilmember Branson  
Councilmember Hardcastle

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct Annexation Proceedings for Fairway Estates Addition, Division No. 7. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

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City of Idaho Falls  
February 7, 1999

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: FAIRWAY ESTATES ADDITION, DIVISION NO. 7

Attached are the Final Plat, the Annexation Agreement, and the Annexation Ordinance for Fairway Estates Addition, Division No. 7. The requested zoning is R-1. The plat contains 28 single-family lots. This Division which is immediately adjacent to East River Road will provide a northern access to Gleneagles Drive. The Planning Commission considered this annexation request at its November Meeting and recommended approval of the Final Plat, Annexation, and the initial zoning of R-1. The Planning Department concurs. This request is now being submitted to the Mayor and City 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
Slide 2	Aerial Photo
Slide 3	Final Plat
Exhibit A	Planning Commission Minutes
Exhibit B	Staff Report

Daryl Kofoed, Mountain River Engineering, 1020 Lincoln Road, appeared to explain the lot depths along East River Road. When the Preliminary Plat was developed, the developer donated 60 feet of right-of-way for the future development of East River Road. Through Fairway Estates Addition, Division No. 7, the lot depths will be 140 feet, providing for a 90-foot right-of-way for future development of East River Road.

There being no further discussion either in favor of or in opposition to this annexation request, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to accept the Final Plat for Fairway Estates Addition, Division No. 7 and, further, give authorization for the Mayor, City Engineer, and City Clerk to sign the Final Plat. Roll call as follows:

Aye: Councilmember Carlson  
Councilmember Groberg  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Mills  
Councilmember Branson

Nay: None

Motion Carried.

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It was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the Annexation Agreement for Fairway Estates Addition, Division No. 7 and, further, give authorization for the Mayor and City Clerk to sign said Agreement. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Branson  
Councilmember Eldredge  
Councilmember Carlson  
Councilmember Groberg  
Councilmember Mills

Nay: None

Motion Carried.

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

**ORDINANCE NO. 2306**

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 Mills moved, and Councilmember Groberg 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 and the Ordinance be passed on all three readings. Roll call as follows:

Aye: Councilmember Branson  
Councilmember Hardcastle  
Councilmember Mills  
Councilmember Eldredge  
Councilmember Carlson  
Councilmember Groberg

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 Mills, seconded by Councilmember Groberg, to establish the initial zoning of Fairway Estates Addition, Division No. 7 as R-1 (Single-Family Residential) 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:

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Aye: Councilmember Groberg  
Councilmember Mills  
Councilmember Branson  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Carlson

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct a public hearing for the consideration of a rezoning request from RSC-1 (Residential Shopping Center) to I&M-1 (Industrial and Manufacturing) of Al-Sid Addition, located generally west of Rollandet Avenue, south of West 25<sup>th</sup> Street, and northwest of Rogers Street. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
February 7, 1999

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: AL-SID ADDITION

Attached is the petition requesting rezoning of the Al-Sid Addition from RSC-1 to I&M-1. The Planning Commission considered this rezoning request at its November Meeting and recommended denial of the request. This recommendation of denial was based on the numerous uses permitted in the I&M-1 Zone and potential conflict with such neighboring uses as Tautphaus Park and residences. The Planning Department concurs. This request is now being submitted to the Mayor and City 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
Slide 2	Aerial Photo
Slide 3	Looking across site
Slide 4	Looking south towards residence
Slide 5	Looking east to Tautphaus Park
Exhibit A	Planning Commission Minutes
Exhibit B	Staff Report

A general discussion was held among Council regarding the locations of the I&M-1 zone in the area of this request. Councilmember Hardcastle requested to know what uses were

allowed in the I&M-1 Zone. The Planning and Building Director stated that any use is allowed in the I&M-1, except uses related to smelting of ore, slaughterhouses, etc.

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Alex Perez, 6614 South 35 West, appeared as the owner of this land. He requested the City Council to reconsider the decision of the Planning Commission. He felt that the reason the Planning Commission turned him down was related to traffic and beautification of the area. He stated that there would be minimal traffic, as he wanted to provide a place for storage of recreational vehicles. He said that there is little landscaping along Rollandet Avenue at this time, but he would be willing to put in landscaping if necessary.

Councilmember Carlson requested to know what type of zoning would allow for recreational vehicle storage. The Planning and Building Director stated that if enclosed storage were being provided, a C-1 zone could be used. If outdoor storage were being provided, the HC-1 zone could be used which provides for buffering from the roadway. The Planning and Building Director explained that the Comprehensive Plan provides for commercial, multi-family, and industrial in the vicinity of Rollandet Avenue.

There being no further discussion either in favor of or in opposition to this rezoning request, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to deny the request to change the zone of Al-Sid Addition from RSC-1 to I&M-1 and, further, instruct the Planning and Building Director and the City Attorney to prepare Findings of Fact and Conclusions of Law. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Carlson  
Councilmember Mills  
Councilmember Groberg  
Councilmember Branson  
Councilmember Hardcastle

Nay: None

Motion Carried.

Councilmember Hardcastle encouraged Mr. Perez to visit with the Planning and Building Director to review the types of uses in the individual zones that would allow him to accomplish his request. Councilmember Groberg concurred with Councilmember Hardcastle.

Mayor Milam requested Councilmember Mills to conduct a public hearing for consideration of a rezoning request from R-1 (Single-Family Residential) to PB (Professional Business) of Lots 10 and 11, Block 1, Gustafson Park Addition, Division No. 2, located generally on the north side of West Sunnyside Road, east of Rollandet Avenue. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

City of Idaho Falls  
February 7, 1999

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: LOTS 10 AND 11, BLOCK 1, GUSTAFSON PARK ADDITION,  
DIVISION NO. 2



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Attached is the petition requesting rezoning of Lots 10 and 11, Block 1, Gustafson Park Addition, Division No. 2, from R-1, Single-Family Residential, to PB, Professional Business. Lots 10 and 11 consist of approximately 0.15 acres. The Planning Commission considered this rezoning request at its January Meeting and recommended approval of the request. This recommendation of approval was based on the adjacent initial zoning of the parcel to the east. The Planning Department concurs. This request is now being submitted to the Mayor and City 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
Slide 2	Exhibit A: Showing portion to be rezoned
Slide 3	Aerial Photo
Slide 4	Looking across site to north at R-1
Slide 5	Southwest corner to site looking northeast
Slide 6	Looking west from site
Slide 7	Looking southwest from site
Exhibit A	Planning Commission Minutes
Exhibit B	Staff Report

Dan Utterbeck, 244 West Stone Run Lane, appeared as a representative for Utterbeck Construction. He wished to extend his apologies from his father, Bob Utterbeck, in becoming overzealous in paving over this portion of the parking lot for Millbrook Office Center. Mr. Utterbeck stated that the Planning and Building Director requested that the property owners within 300 feet of this property be notified. The majority of the property owners were reached and had no problem with the parking area being paved and the rezoning being approved.

There being no further discussion either in favor of or in opposition to this rezoning request, it was moved by Councilmember Mills, seconded by Councilmember Groberg, to approve the zone change from R-1 (Single-Family Residential) to PB (Professional Business), and that 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 Mills Councilmember Groberg Councilmember Carlson Councilmember Branson Councilmember Hardcastle Councilmember Eldredge
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Nay:	None
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Motion Carried.

Mayor Milam requested Councilmember Carlson to conduct a public hearing to establish Sewer Rates and Solid Waste Collection Rates. At the request of Councilmember Carlson, the City Clerk read the following memo from the Public Works Director:

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City of Idaho Falls  
February 9, 1999

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: PUBLIC HEARING – SEWER FEES AND SANITATION FEES

A public hearing has been scheduled and advertised for February 11, 1999, at 7:30 p.m. at the City Council Chambers for the purpose of receiving public comment on proposed increases to the sewer fees and sanitation fees.

s/ Chad Stanger

Councilmember Carlson gave a brief history of sewer fees and sanitation fees, which lead to the necessity to increase fees at this time.

Richard Kelley, 2325 Baltic, appeared to state that earlier in the day he spoke with the Public Works Director regarding some concerns that he had regarding the increase in fees. He stated that he is in agreement with the City in addressing the needs of the future at this time, before they become a big problem. Mr. Kelley expressed his concern over how the sewer fees would be initiated. He requested the City Council to allow for a 6-month time frame to begin the implementation of these fees, so that these costs could be calculated into any future bids that they have on any new construction. Mr. Kelley stated that the Sanitation Department has provided good service. He has been pleased with the quality of work that they do.

Mayor Milam stated that the City Council has considered giving several months, before implementation of the new fees and fee increases. Mayor Milam stated, further, that in 5-1/2 years being Mayor, she has never received a complaint about the Sanitation Workers. She has only received good comments about their work.

Roy Ellis, Homestead Construction, 1301 East 17<sup>th</sup> Street, appeared to state that he is opposed to raising the sewer connection fee in one lump sum. He requested Council to consider spreading this fee increase over time. Mr. Ellis presented the following letter from Representative Lee Gagner in response to the proposed fee increases:

February 11, 1999

TO: City of Idaho Falls  
FROM: Representative Lee Gagner  
SUBJECT: SEWER INCREASE PROPOSALS

I read with some trepidation the plan to raise sewer hookup fees from \$300.00 per hookup to \$900.00. This action flies in the face of rational thought to make this adjustment in a single calendar year.

I think no developer/builder is in favor of ever raising fees, unless they have proof that the changes are needed. I recommend that the City provide a 1-2 page condensed display of dollar amounts required to do the anticipated improvements to the sewer system. I also would hope that not all plans for change or improvement would be done immediately but rather spread over a

number of years. A suggestion of \$150.00 per year would seem reasonable if costs are justified. Two questions I am sure will be asked in the hearing are, "Will all of the proposed costs benefit only new construction? Should some of

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the improvement costs be spread to the individual sewer charge on all homes monthly?"

I appreciate the opportunity to provide this input, as I will be tied up in the Idaho Legislature until late March.

Respectfully,

s/ Rep. Lee Gagner  
Representative Lee Gagner

Heather Parker, 860 John Adams Parkway, appeared to question the need for the rate increases at this time. Mayor Milam explained that there has not been an increase in these rates in approximately 8 years. In the near future, the City expects to hear from the Environmental Protection Agency (EPA), requiring a more rigorous work with the sludge (which is the end product of the wastewater treatment process). This will be expensive. Mayor Milam explained that the Sewer System is operated with no debt. The Sewer Department has been able to absorb any increases in the last few years, but now is the time to look at a change. Miss Parker questioned whether these increases were being used for the sewer and storm water separation around Idaho Falls High School. Mayor Milam stated that this increase is not being requested to cover those costs.

Councilmember Mills stated that the Public Works Division has done their homework by hiring a Consultant, CH2M Hill, to review the need for these fee increases.

Councilmember Groberg stated that a uniform hookup fee impacts a smaller home than it does a larger home. He stated that the Council should consider the suggestion of a gradual implementation of the sewer hookup fee.

The Public Works Director appeared to state that the Public Works Division is comfortable with a phasing-in process for the sewer connection fee.

Councilmember Carlson requested a Council Work Session to be scheduled regarding these fee increases and how to implement them. Mayor Milam stated that a Council Work Session will be scheduled before the next Regular Council Meeting on February 25, 1999, at which time this issue will be considered again.

The Acting Airport Director submitted the following memo:

City of Idaho Falls  
February 10, 1999

MEMORANDUM

TO: Honorable Mayor and Council  
FROM: S. Craig Lords, Acting Airport Director  
SUBJECT: CHANGE ORDER NUMBER 6

Attached is a copy of Change Order No. 6 to the HK Contractors Contract, AIP 17. The change substitutes 4-inch slotted PVC in place of 4-inch perforated PVC. The slotted PVC was available in the requested amount of time.

The dollar amount of the Change Order is \$.00.

The Airport Division requests authorization to approve Change Order No. 6.

s/ S. Craig Lords

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It as moved by Councilmember Groberg, seconded by Councilmember Eldredge, to approve Change Order No. 6 to H-K Contractors, Inc. for the Runway Rehabilitation Project. Roll call as follows:

Aye: Councilmember Groberg  
Councilmember Mills  
Councilmember Branson  
Councilmember Hardcastle  
Councilmember Eldredge  
Councilmember Carlson

Nay: None

Motion Carried.

The Electric Division Director submitted the following memo:

City of Idaho Falls  
February 11, 1999

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Mark Gendron, Electric Division Director  
SUBJECT: POWER SALES AGREEMENT

Attached for your consideration is the Power Sales Agreement between Arizona Public Service Company (APS) and the City of Idaho Falls. The City Attorney has reviewed this Agreement.

The Electric Division requests approval and authorization for the Mayor to sign this Agreement.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Hardcastle, to approve the Power Sales Agreement between Arizona Public Service Company and the City of Idaho Falls and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

Aye: Councilmember Eldredge  
Councilmember Carlson  
Councilmember Groberg  
Councilmember Branson  
Councilmember Hardcastle

Nay: None

Abstain: Councilmember Mills (as he owns stock in Arizona Public Service Company)

Motion Carried.

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The Police Chief submitted the following memo:

City of Idaho Falls  
February 8, 1999

MEMORANDUM

TO: Honorable Mayor Linda Milam and City Councilmembers  
FROM: Chief J. K. Livsey, Police Chief  
SUBJECT: DENIAL OF NON-COMMERCIAL KENNEL LICENSE

Attached please find an application of a Non-Commercial Kennel License submitted by Candace and Aaron Severinsen, 310 Tabor Avenue, Idaho Falls, Idaho.

The Animal Control Division conducted the required survey of the neighbors of Candace and Aaron Severinsen that live within one hundred feet of their property. The survey reveals that the required 75 percent approval was not attained. Therefore, it is recommended that the license application be denied.

s/ J. K. Livsey

It was moved by Councilmember Hardcastle, seconded by Councilmember Branson, to deny the Non-Commercial Kennel License to Aaron and Candace Severinsen. Roll call as follows:

Aye: Councilmember Mills  
Councilmember Groberg  
Councilmember Carlson  
Councilmember Branson  
Councilmember Hardcastle  
Councilmember Eldredge

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
February 9, 1999

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: EASEMENT VACATIONS – LOT 11, BLOCK 2; LOT 1, BLOCK 5;  
LOTS 1, 2, AND 3, BLOCK 6; CHANNING WAY ADDITION,  
DIVISION NO. 2

The owner of the above referenced lots has requested vacation of certain utility easements located within those lots and agreed to provide needed easements in other locations.

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

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to give authorization for the City Attorney to prepare the necessary documents to vacate easements in Lot 11, Block 2; Lot 1, Block 5; Lots 1, 2, and 3, Block 6; all in Channing Way Addition, Division No. 2. Roll call as follows:

Aye: Councilmember Hardcastle  
Councilmember Branson  
Councilmember Eldredge  
Councilmember Carlson  
Councilmember Mills

Nay: None

Abstain: Councilmember Groberg (due to possible Conflict of Interest)

Motion Carried.

City of Idaho Falls  
February 9, 1999

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: CHANGE ORDER NO. 14 – PANCHERI DRIVE PROJECT

Attached is proposed Change Order No. 14 to the Pancheri Drive Project for an additional 2,000 cubic yards of riprap, increasing the contract amount by \$28,000.00. A portion of this riprap is to be used at the June Avenue storm water detention pond and the remainder is to be stockpiled for future use.

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

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to approve Change Order No. 14 to Idaho Construction Company for the Pancheri Drive Project and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

Aye: Councilmember Branson  
Councilmember Hardcastle  
Councilmember Mills  
Councilmember Eldredge

Councilmember Carlson  
Councilmember Groberg

**FEBRUARY 11, 1999**

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Nay:           None

Motion Carried.

There being no further business, it was moved by Councilmember Carlson, seconded by Councilmember Groberg, that the meeting adjourn at 8:45 p.m.

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CITY CLERK

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MAYOR

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