

JANUARY 22, 1998

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, January 22, 1998, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

Mayor Linda Milam
Councilmember Gary Mills
Councilmember Joseph Groberg
Councilmember Larry Carlson
Councilmember Ida Hardcastle
Councilmember Brad Eldredge

Absent was:

Councilmember Beverly Branson

Also present:

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

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

The City Clerk read a summary of the minutes for the January 8, 1998 Regular Meeting. It was moved by Councilmember Eldredge, seconded by Councilmember Mills, that the minutes be approved as read. Roll call as follows:

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

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

The City Clerk presented several license applications, including BARTENDER PERMITS to Yvonne M. Curtis, Matt S. Kinghorn, Sally J. Kotter, Lisa S. Lensgraf, Michael V. McDonald, Leon O. Noel, Danny L. Raschke, and Sheri L. Stewart, 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 22, 1998.

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

Aye: Councilmember Groberg
Councilmember Mills

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Councilmember Hardcastle
Councilmember Eldredge
Councilmember Carlson

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Mills to conduct a public hearing to consider an appeal from the Board of Adjustment decision concerning a request to encroach 6 feet into the required 15-foot rear yard setback (leaving a 9-foot rear yard) for the purpose of locating a new 16' X 75' mobile home on a 53' X 115' (6,095 square feet) lot located generally at 1350 Glennbrier Street, Idaho Falls, Idaho, legally described as Lot 4, Block 2, Hollipark Addition, Division No. 2. At the request of Councilmember Mills, the City Clerk read the following memo:

City of Idaho Falls
January 19, 1998

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: APPEAL FROM DENIAL OF VARIANCE, LOT 4, BLOCK 2,
HOLLIPARK ADDITION, DIVISION NO. 2

Attached is a variance request to encroach six feet into the required fifteen-foot rear yard in order to locate a new sixteen by seventy-five foot mobile home on the lot. The Board of Adjustment considered this request at a public hearing on January 6, 1998, and unanimously denied the request for the following reasons: (1) No testimony was presented to support finding Lot 4, Block 2, Hollipark Addition, Division No. 2, a unique lot; (2) there are other reasonable conforming uses for this lot; (3) vacant lots in this park can easily be filled with conforming mobile homes; and, (4) the hardship is caused by the applicant. This matter is now being submitted for consideration to the Mayor and City Council.

s/ Renée R. Magee

The Planning and Building Director located the subject area on a map and further explained the request.

Councilmember Mills requested the applicant for the variance request to come forward at this time.

Glenn Thompson, Owner of Hollipark Manor, 969 East Elm, Pocatello, Idaho, appeared to state that he did not think that he would have a problem in obtaining this variance. He commented, further, that mobile home parks are notorious for encroachments. Mr. Thompson addressed each of the concerns from the Planning Commission: (1) He felt that this lot is unique in that this lot and the surrounding lots are some of the largest in the

City for mobile homes; (2) He agrees with the Planning Commission regarding the fact that there are other conforming uses for this lot, but he has worked for the past ten years to maintain an attractive mobile home park and to have responsible people live in his mobile

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home park; (3) Vacant lots can be easily filled in the summer months, but the winter months take more work to move a mobile home in and set it up properly; and, (4) He wants to see a clean and attractive mobile home park, one with responsible tenants. Mr. Thompson questioned each Councilmember if 5 feet closer to the rear of the property would be a nuisance to a neighborhood. He felt that the only issue would be less watering and mowing of the yard.

Councilmember Mills questioned Mr. Thompson as to what model year the mobile home is. Mr. Thompson stated that it is a new one, built under the strictest codes available. Mr. Thompson stated that he has checked with each of the neighbors surrounding this proposed variance request, and each neighbor has approved the installation of the new mobile home.

There being no one to appear in opposition of this variance request, the public hearing was closed.

Councilmember Eldredge questioned the Planning and Building Director as to why the 15 feet for the rear yard was established. He wanted to know whether it was a safety requirement or for aesthetics. The Planning and Building Director stated that in the RMH zone, a 25-foot rear yard was required, but a 15-foot rear yard was acceptable, as long as you had a wider side yard. She explained further these requirements were established for open space issues in the 1970's.

Councilmember Groberg questioned whether the variance would stay with the land or go with the mobile home if it were moved. The Planning and Building Director explained that this variance would go with the mobile home. She commented, further, that her office has new computer software that keeps track of lots and addresses to administratively handle conditions that could not be monitored before.

It was moved by Councilmember Mills, seconded by Councilmember Eldredge, to approve the variance request to encroach 6 feet into the required 15-foot rear yard setback for Lot 4, Block 2, Hollipark Addition, Division No. 2. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam requested Councilmember Mills to conduct the public hearing to consider an appeal from the Board of Adjustment decision concerning a request to encroach 10 feet into the required 30-foot front yard setback for the purpose of constructing a 10'0" X 20'4" covered porch on property located generally at 1180 Merrett Drive, Idaho Falls, Idaho, legally described as Lot 11, Block 5, Orlin Park Addition. At the request of Councilmember Mills, the City Clerk read the following memo from the Planning and Building Director:

JANUARY 22, 1998

City of Idaho Falls
January 19, 1998

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: APPEAL FROM DENIAL OF VARIANCE, LOT 11, BLOCK 5, ORLIN
PARK ADDITION

Attached is a variance request to encroach ten feet into the required thirty-foot front yard setback in order to construct a ten-foot by twenty-foot covered front porch. The Board of Adjustment considered this request at a public hearing on December 2, 1997, and unanimously denied the request for the following reasons: (1) no testimony was presented to support finding Lot 11, Block 5, Orlin Park Addition, to be a unique lot; (2) due to the method of construction and location, the porch will create a nuisance in the neighborhood; and, (3) a reasonable use of this lot exists without the variance.

This Department concurs with the Board of Adjustment in the denial of this request. This matter 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.

Mayor Milam presented two letters in opposition to this variance that she requested be made a part of the record, as follows:

1245 Merrett Drive
Idaho Falls, Idaho 83404

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

Dear Ms. Magee:

November 27, 1997 I opposed, in a letter (enclosed), a request by Oliver Halford of 1180 Merrett Drive to consider a variance to encroach 10 feet into the required 30-foot front yard setback for the purpose of constructing a 10'0" X 20'4" covered front porch. I expressed my feelings at that time that this variance should not be granted. Not only has the house at 1180 Merrett Drive been under continuous construction for the past >15 years, none of it appears to have been completed. Furthermore, a significant part of the construction is with used materials that detracts from the nicely kept nearby homes. I

seriously question whether the work that has been performed over the years meets building code.

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Because nothing has changed my opposition to the request by Oliver Halford, I request that you NOT GRANT this variance. This house has become an embarrassment to the neighborhood and threatens the values of surrounding homes. Some of the construction, that has been left incomplete for the past 15 years, needs to be completed. Some of this construction needs to be torn down and redone in a manner acceptable to city construction (note the corrugated metal out-building roof on this home – siding and roof). Your help in putting an end to this shoddy construction is deeply appreciated. It is time for this disregard of City construction code and inconsideration to the surrounding neighbors to stop!

Sincerely,
s/ Robert J. Gehrke

cc: L. Milam, Mayor

The following letter is the enclosure mentioned in the first paragraph above:

November 27, 1997
1245 Merrett Drive
Idaho Falls, Idaho 83404

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

Dear Mr. Boyle:

I received your letter informing me of a public hearing to determine whether the owner of a private dwelling at 1180 Merrett Drive may encroach into the required 30-foot front yard setback. I do not support this request and am more than appalled by the audacity of the request. Present construction of this extension should be taken down. My strong feelings are explained below.

For over twenty years, the residence at 1180 Merrett Drive has been under continual construction with none of it ever being completed. The house has been torn up for as long as I can remember, and I have lived in my house for 32 years. It started with a garage made of concrete and attached to the back of the house. This garage was left without a garage door or roof for many years (i.e., >15 years). Then the owner undertook to add a second floor to this house in a neighborhood of primarily single story dwellings. Rumor was that he intended to make one or two apartments on the second floor to rent to the navy students being trained at the site. This was about five to seven years ago. During this project a second story was placed over the house and garage, but this second story addition remains grossly unfinished with scaffolding still in place on all sides and back. About a year ago the garage door was added, but the second story addition remains incomplete. The dwelling is such an eye sore that I use

it as a landmark to identify Merrett Drive and Twelfth Street to people who don't even live on the east side of town, that is the two-story pink house with the corrugated metal barn roof and still under construction for the last twenty

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years. This house is known all over town as an eye sore! Now the owner has the audacity to add to the front of the house with the other projects not only not complete but built with scraps he gathered from who knows where. Enough is enough! Doesn't Idaho Falls have any building code or restrictions?

My neighbors and I (between 1100 and 1300 Merrett Drive), have taken pride in our homes and have actually improved them through new siding, attractive additions constructed to code, new garages constructed to code, new double-insulated windows, and beautiful landscaped yards. The home at 1180 Merrett Drive is an eye sore that is an embarrassment even in our modest neighborhood. I do not like to interfere with my neighbors and have given the owner at 1180 Merrett Drive the benefit of the doubt for way too long. I regret my patience. My tolerance has only led to a bigger eye sore.

The City Planning and Building Division should mandate that the front encroachment be torn down. It also should mandate that the entire structure be either completed strictly to code or the entire structure torn down by the owner within a six-month time frame. Each month during this six-month period a City Inspector should visit the house and verify that progress is occurring so that the deadline is met. The entire construction prior to and any after this ruling on December 2, 1997 must be inspected to verify that it is in compliance with City Code. If the metal barn roof is not code, it shall be replaced. Finally, if construction is completed, the house shall be painted. If the owner cannot afford to fix the construction, he should be leveled a fine. Enough is enough!

Sincerely,
s/ Robert and Mary
Gehrke

cc: L. Milam, Mayor

January 17, 1998

TO: Planning and Building Division
City of Idaho Falls
Mayor and City Council

I am on record as to being opposed to a variance to encroach, brought by Oliver Halford at 1180 Merrett Drive, Idaho Falls, Idaho.

While I consider Mr. and Mrs. Halford as friends and good neighbors, I must reiterate in asking that this request be denied, and that the structure that he has already in place be dismantled.

I have high hopes that Mr. Halford could then be encouraged to complete the other additions that continue on this property.

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It is my opinion that Building Codes are in place to protect the public safety and for orderly growth.

Thank you,
s/ Irel Church
Irel Church
1225 Merrett Drive
Idaho Falls, Idaho

Councilmember Mills requested those in favor of this variance request to come forward at this time.

Oliver Halford, 1180 Merrett Drive, appeared to explain the need for this porch. He explained that the snow slides from the top layer onto the bottom layer and then from the bottom layer directly in front of his front door. This porch would allow the snow to move to either side of the front door when it falls. Mr. Halford felt that this new addition will not decrease the value of anyone's property in the neighborhood. He went on to explain the comments made by his neighbors. Mr. Halford expressed his concern over another issue at the corner of Twelfth Street and Merrett Drive. He has had a flooding problem in the area for years and wanted some help to alleviate this problem.

Mayor Milam requested the Public Works Director to look into the flooding problem at the corner of Twelfth Street and Merrett Drive.

Councilmember Carlson asked Mr. Halford how long this project has been under construction. Mr. Halford explained that he did not have a plan for this project and that he felt that if something needed to be changed, then he just ought to go ahead and do it.

Councilmember Hardcastle asked Mr. Halford how long he had been working under the building permit that he already has. Mr. Halford stated that he had been working for a good two years on his house, under the current building permit.

Councilmember Mills requested for Mr. Halford to explain what his ultimate goal was in completing this porch addition. Mr. Halford stated that he wanted to have an enclosed porch, with double-glazed windows installed, and to have a brick veneer on the exterior.

Daniel Wallace, 1165 Bower Drive, appeared to state that it would be great to have the house completed. He stated that the 10-foot encroachment was not a problem to him.

Upon closing the public hearing, Mayor Milam questioned the Planning and Building Director whether there was a time limit on completing the work requested under a Building Permit - whether for safety issues or Code Requirements. The Planning and Building Director stated that there is a provision in the Building Code that says that if you do not work on the project for a period to exceed 180 days, then the building permit expires. As long as work is continually being done on the building, the building permit is valid. Ms. Magee, further, explained that a site plan was not presented for the porch addition and, further, all of the homes on Merrett Drive are in alignment and have a 30-foot front yard setback.

Councilmember Groberg asked if there was any provision for requiring that work be completed under one building permit before another building permit can be issued. The Planning and Building Director stated that there is no such provision and, further, that new plans would have to be presented for each modification undertaken. Ms. Magee explained that it was not the Planning and Building Division's understanding until this night, that the porch would be an enclosed porch, which requires stricter rules and regulations as to the construction.

There being no further discussion, it was moved by Councilmember Mills, seconded by Councilmember Eldredge, to deny the request to encroach 10 feet into the required 30-foot front yard setback for the purpose of constructing a 10'0" X 20'4" covered

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porch on property located generally at 1180 Merrett Drive and legally described as Lot 11, Block 5, Orlin Park Addition. Roll call as follows:

Aye: Councilmember Hardcastle
Councilmember Mills
Councilmember Eldredge
Councilmember Carlson

Nay: Councilmember Groberg

Motion Carried.

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

January 19, 1998

MEMORANDUM

TO: Mayor and City Council
FROM: Renée R. Magee, Planning and Building Director
SUBJECT: ANNEXATION AND FINAL PLAT, VICTORIAN VILLAGE ADDITION,
DIVISION NO. 7

Attached is a copy of the Annexation Agreement, Annexation Ordinance, and Final Plat of Victorian Village Addition, Division No. 7. This plat is located between Leesburg Lane and Plantation Lane, straddles Colonial Way, and is adjacent to Victorian Village Addition, Divisions No. 1, 2, 5 and 6. This single-family subdivision contains 5.74 acres and 19 lots. The Planning Commission has reviewed this Plat at a public hearing and recommends annexation to the City, approval of the Final Plat, and initial zoning of R-1. This Department concurs with the Commission's recommendation. The annexation 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.

Councilmember Groberg stated that he declares a conflict of interest on this Annexation, and will not participate in any discussion regarding it.

Brian Loftus, 985 North Capital Avenue, appeared as a representative of the Developer of this Addition. He stated that Victorian Village Addition, Division No. 7 complies with the Preliminary Plat and requests that this Annexation be approved.

There being no one else to appear in favor or in opposition to this Annexation, the public hearing was closed.

It was moved by Councilmember Mills, seconded by Councilmember Eldredge, to accept the Final Plat for Victorian Village 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 Hardcastle

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Councilmember Eldredge
Councilmember Carlson
Councilmember Mills

Nay: None

Abstain: Councilmember Groberg

Motion Carried.

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

Aye: Councilmember Hardcastle
Councilmember Mills
Councilmember Eldredge
Councilmember Carlson

Nay: None

Abstain: Councilmember Groberg

Motion Carried.

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

ORDINANCE NO. 2263

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 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 and the Ordinance be passed on all three readings. Roll call as follows:

Aye: Councilmember Mills
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Carlson

Nay: None

Abstain: Councilmember Groberg

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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 Eldredge, to establish the initial zoning of Victorian Village Addition, Division No. 7 as R-1 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 her office. Roll call as follows:

Aye: Councilmember Eldredge
Councilmember Carlson
Councilmember Mills
Councilmember Hardcastle

Nay: None

Abstain: Councilmember Groberg

Motion Carried.

Mayor Milam and Councilmembers honored Eagle Scout Richard Loynd by presenting him with a Certificate of Recognition for earning his Eagle Scout Award.

The Airport Director submitted the following memo:

City of Idaho Falls
January 16, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jim Thorsen, Airport Director
SUBJECT: AMENDMENT TO USE AGREEMENT

Horizon Airlines has submitted an Agreement to extend their lease for the year 1998.

The terms and conditions are unchanged, and are the same as for the other two Airlines.

The City Attorney prepared the Agreement.

The Airport Division respectfully requests authorization for the Mayor to execute the Agreement.

s/ Jim Thorsen

It was moved by Councilmember Groberg, seconded by Councilmember Eldredge, to approve the Amendment to Use Agreement with Horizon Airlines for the 1998 year and, further, give

authorization for the Mayor and City Clerk to sign the necessary documents. Roll call as follows:

Aye: Councilmember Carlson

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Councilmember Groberg
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Mills

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
January 16, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-98-9, ONE (1) NEW 1998 CAB AND CHASSIS

Attached for your consideration is the tabulation for Bid IF-98-9, One (1) New 1998 Cab and Chassis, for use with a side load container refuse body.

It is the recommendation of Municipal Services to accept the low bid of Hirning Truck Center to furnish a 1999 GMC Model F7B064 Cab Over, for an amount of \$47,458.00, with trade-in Unit No. 755.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the low bid of Hirning Truck Center to furnish a 1999 GMC Cab and Chassis as presented. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
January 16, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director

SUBJECT: BID IF-98-10, ONE (1) NEW 1998 SIDE LOAD CONTAINER
REFUSE BODY

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Attached for your consideration is the tabulation for Bid IF-98-10, One (1) New 1998 Side Load Container Refuse Body.

It is the recommendation of Municipal Services to accept the low bid of Holland Equipment Company to furnish one (1) new 1998 Pak-Mor Model HLR 29 refuse body for an amount of \$44,140.78.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the low bid of Holland Equipment Company to furnish One (1) New 1998 Side Load Container Refuse Body as presented. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
January 16, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-98-8, VEHICLES

Attached for your consideration is the tabulation for Bid IF-98-8, new 1998 Vehicles. It is the recommendation of Municipal Services that we award to the low bidder as per Attachment "A" – Item Number I through VIII. It is also recommended we reject all bids for Item IX – One (1) 4 X 4 HD Wagon Utility Vehicle and request authorization to purchase a similar vehicle through the quote process.

The trade-ins will go to the dealer with the exception of Unit No. 771, which will be sold to the Development Workshop, who agreed to meet the amount bid by the dealer.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to accept the low bidder as per Attachment "A" – Item Number I through VIII and, further, reject the bids for Item IX (One (1) 4 X 4 HD Wagon Utility Vehicle) as presented. Roll call as follows:

Aye: Councilmember Groberg

Councilmember Mills
Councilmember Hardcastle
Councilmember Eldredge

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Councilmember Carlson

Nay: None

Motion Carried.

The Police Chief submitted the following memo:

City of Idaho Falls
January 15, 1998

MEMORANDUM

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

Attached is the application for a Non-Commercial Kennel License submitted by Duncan Jones and Mary Bates, 486 Evans Avenue.

The Animal Control Division conducted the required survey of neighbors of Mr. Jones and Ms. Bates that live within one hundred feet of their property. The survey revealed that the required 75 percent approval was not attained. Therefore, it is recommended that this license application be denied.

s/ Chief J. K. Livsey

It was moved by Councilmember Hardcastle, seconded by Councilmember Mills, to deny the Non-Commercial Kennel License to Duncan Jones and Mary Bates at 486 Evans Avenue. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
January 16, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director

SUBJECT: EASEMENT VACATION – LOT 1, BLOCK 1, FRED MEYER/
COUNTRY CLUB MALL SUBDIVISION

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As previously authorized the City Attorney has prepared the documents needed to vacate an easement located in Lot 1, Block 1, Fred Meyer/Country Club Subdivision.

Public Works recommends approval of this vacation and authorization for the Mayor to sign the documents.

s/ Chad Stanger

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

ORDINANCE NO. 2264

AN ORDINANCE VACATING A CERTAIN EASEMENT WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAID EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF THE CITY A QUITCLAIM DEED CONVEYING THE VACATED EASEMENT TO THE OWNER OF THE ADJACENT LAND, AND NAMING IT; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Carlson moved, and Councilmember Hardcastle 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 Mills
Councilmember Groberg
Councilmember Carlson
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

It was, further, moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to approve the Easement Vacation in Lot 1, Block 1, First Amended Plat of Fred Meyer/Country Club Subdivision and give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

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Motion Carried.

City of Idaho Falls
January 16, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ALLEY RIGHT-OF-WAY VACATION – BLOCK 23, HIGHLAND PARK
ADDITION

The owners of Lots 17 through 32, Block 23, Highland Park Addition, have requested vacation of the alley right-of-way located in this property, retaining the same for a utility easement.

Public Works requests authorization for the City Attorney to prepare the documents needed to vacate this right-of-way.

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 the alley right-of-way in Lots 17 through Lot 32, Block 23, Highland Park Addition. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
January 20, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PROFESSIONAL REAL ESTATE APPRAISAL SERVICES -
PANCHERI PHASE II

Preparatory to acquiring right-of-way for Pancheri Phase II, proposals for completing the appraisal of this right-of-way were solicited from three (3) firms.

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Public Works recommends accepting the proposal submitted by Kelley Real Estate and Appraisers and authorization to enter into an Agreement for this service.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to accept the proposal for Professional Real Estate Appraisal Services for the Pancheri Phase II Project from Kelley Real Estate and Appraisers. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
January 16, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: CONTRACT OF SALE – CARLSON PROPERTY

Attached is a proposed "Contract of Sale" for a parcel of real property owned by Joel T. and Sandra L. Carlson needed by the City for the greenbelt. This property is located south of Broadway and on the west bank of the Snake River; and, has a purchase price of \$20,000.00.

Public Works recommends approval of this purchase and authorization for the Mayor to sign the documents.

s/ Chad Stanger

Councilmember Carlson noted that Joel T. and Sandra L. Carlson were not relatives of his. It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to approve this Contract of Sale with Joel T. and Sandra L. Carlson and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls
January 20, 1998

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: REAL ESTATE DONATION – J. R. SIMPLOT COMPANY

Attached are “Deed of Gift” and “Acceptance of Gift” forms for the parcel of real estate valued at \$52,000.00 and proposed to be donated to the City of Idaho Falls by J. R. Simplot Company. This property is located south of Broadway along the west bank of the Snake River and is critical to the development of the greenbelt.

Public Works requests authorization for the Mayor to execute these documents.

s/ Chad Stanger

It was moved by Councilmember Carlson, seconded by Councilmember Hardcastle, to accept the Deed of Gift and Acceptance of Gift forms from J. R. Simplot Company and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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

CITY CLERK

MAYOR
