

**AUGUST 28, 1997**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, August 28, 1997, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Absent was:

Councilmember Melvin Erickson

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 August 14, 1997 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 Branson  
Councilmember Eldredge  
Councilmember Carlson  
Councilmember Mills

Nay: None

Motion Carried.

**CONSENT AGENDA ITEMS**

The City Clerk presented several license applications, including BEER TO BE CONSUMED ON THE PREMISES LICENSE to Apple Athletic Club; transfer of BEER TO BE CONSUMED ON THE PREMISES LICENSE to Ray's Western Bar (New Owners); and, BARTENDER PERMITS to Cynthia M. Cook, Veran C. Cook, Anne Hunsaker, Shawna M. Jones, Kelli S. McSpadden, Ruby D. Pearrell, and Cara J. Shockley, 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 August 28, 1997.

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:

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

Nay: None

Motion Carried.

**REGULAR AGENDA ITEMS**

Mayor Milam requested Councilmember Eldredge to conduct a public hearing to consider the imposition of new fees and fee increases greater than 105% for Fiscal Year 1997-1998. At the request of Councilmember Eldredge, the City Clerk read the following memo from the Municipal Services Director:

City of Idaho Falls  
August 26, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ADOPTION OF 1997-1998 PROPOSED FEE INCREASES

Attached for your consideration is a copy of the proposed 1997-1998 fee increases which have been advertised as required by Idaho Code.

Municipal Services respectfully requests the adoption of the 1997-1998 fee increases.

s/ S. Craig Lords

**PUBLIC NOTICE**

NOTICE IS HEREBY GIVEN that the City of Idaho Falls proposes to impose the following new fees and to increase existing fees by an amount that exceeds one hundred five percent (105%) of such fees collected in Fiscal Year 1996-1997. The additional fees and increases are necessary to cover increased costs associated with these programs.

<b><u>Source of Fees</u></b>	<b><u>Current Fees</u></b>	<b><u>Proposed New Fees</u></b>	<b><u>Percentage Increase</u></b>
<b><u>Recreation Fees</u></b>			
Player Fees:			
Youth Baseball	\$24.00	\$32.00	33%
Adult Softball	\$27.00	\$33.00	22%
Fall Co-Ed	\$20.00	\$25.00	25%
Adult Basketball	\$27.00	\$33.00	22%
Junior Basketball	\$26.00	\$32.00	23%
6' and Under Basketball	\$20.00	\$25.00	25%

Adult Volleyball

\$20.00

\$25.00

25%

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<b><u>Source of Fees</u></b>	<b><u>Current Fees</u></b>	<b><u>Proposed New Fees</u></b>	<b><u>Percentage Increase</u></b>
<b>Recreation Fees, continued</b>			
Junior Volleyball	\$20.00	\$25.00	25%
Babe Ruth	\$3.00	\$5.00	66%
Western Boys	\$3.00	\$5.00	66%
Pony League	\$3.00	\$5.00	66%
Tennis Instruction	\$24.00	\$29.00	20%
USTA/NJTL Tennis	\$22.00	\$27.00	22%
Women's Aerobics	\$30.00	\$37.00	23%
Nordic Skiing	\$38.00	\$45.00	18%
Ice Skating Lessons	\$38.00	\$45.00	18%
Ice Skating Basic Skills Lessons	\$28.00	\$34.00	21%
Ice Skating Fees:			
4-12 Years	\$1.50	\$2.00	33%
13 and Older *	\$2.50	\$2.75	10%
Recreation Center Fees:			
4-12 Years	\$.50	\$1.00	100%
13 and Older *	\$1.25	\$1.75	40%
Aquatic Center Fees:			
4-12 Years	\$1.75	\$2.25	22%
13 and Older *	\$2.50	\$3.00	20%
Aquatic Center Lessons	\$22.00	\$29.00	31%
* Denotes a consolidation of age groups.			
<b>Zoo Fees</b>			
Admissions:			
4-12 Years	\$1.00	\$1.75	75%
13 and Older	\$2.50	\$3.50	40%
62 and Older	\$1.50	\$2.25	50%
Group Rates:			
4-12 Years	\$.75	\$1.25	66%
13 and Older	\$2.00	\$2.50	25%
62 and Older	\$1.50	\$2.00	33%
<b>Park Shelters</b>			
Freeman Bandshell	\$125.00	\$150.00	20%
Tautphaus Multipurpose	\$150.00	\$175.00	16%
All Other Shelters	\$35.00	\$40.00	16%
Sandy Downs:			
4H Arena	\$100.00	\$115.00	15%
North Arena	\$100.00	\$115.00	15%
Main Arena	\$100.00	\$150.00	50%
Stall Rental	\$15.00	\$20.00	33%

The above fees are subject to a discount for those in possession of a City Resident Card.

**Impound/Boarding Fee Increases:**

Impound Fees	\$10.00	\$15.00	50%
Boarding Fee – Dogs	\$3.00	\$10.00	333%

5 Year License Fees -  
Unneutered Dogs

\$ .00

\$10.00

New

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<b><u>Source of Fees</u></b>	<b><u>Current Fees</u></b>	<b><u>Proposed New Fees</u></b>	<b><u>Percentage Increase</u></b>
<b>Impound/Boarding Fee Increases, continued:</b>			
5 Year License Fees – Neutered Dogs	\$0.00	\$6.00	New
Animal Disposal Fees (-15 lbs.)	\$0.00	\$5.00	New
Animal Disposal Fees (+15 lbs.)	\$0.00	\$10.00	New
<b>Water Line Installation Charges:</b>			
Size of Water Service:			
1”	\$825.00	\$1,100.00	33%
1-1/2”	\$900.00	\$1,200.00	33%
2”	\$950.00	\$1,300.00	36%

Any person who desires to provide comments regarding such fee increases may appear at 7:30 p.m. on Thursday, August 28, 1997, at the City of Idaho Falls Council Chamber, Second Floor of the Idaho Falls Electric Building, 140 South Capital Avenue, Idaho Falls, Idaho.

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

Publish: August 17 and 24, 1997

Councilmember Eldredge requested anyone in favor of these fee increases to come forward at this time. No one appeared in favor of these fee increases.

Councilmember Eldredge requested anyone in opposition of these fee increases to come forward at this time.

Kitty Cee, 1333 South Pioneer Road, stated that she wants the City Council to reconsider the prices that have been established for the five-year dog licenses. She stated that these fees are too low. She would also like to return to the annual dog licenses.

Mayor Milam explained the reasoning behind changing to a five-year dog license. Currently, the number of dogs licensed compared with the number of dogs in Idaho Falls, is relatively low. If the City makes it easier to license dogs, more dogs will be licensed.

Councilmember Mills stated that changing to the five-year dog licenses would save in administrative costs.

Kitty Cee stated that the City Council needs to look at the price of these licenses. She would like to see a significant increase for those animals that have been spayed or neutered and those that have not. There should be enough difference in the price, that pet owners are encouraged to spay or neuter their animals. She stated, further, that she is concerned with the five-year license in that addresses change so regularly, and the owners may not be found a few years down the road.

There being no further comment, it was moved by Councilmember Eldredge, seconded by Councilmember Mills, to adopt the 1997-1998 proposed new fees and fee increases as presented. Roll call as follows:

Aye: Councilmember Mills  
Councilmember Carlson  
Councilmember Branson

Councilmember Hardcastle  
Councilmember Eldredge

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Nay: None

Motion Carried.

Mayor Milam requested Councilmember Eldredge to conduct a public hearing to consider the adoption of the 1997-1998 Fiscal Year Budget. At the request of Councilmember Eldredge, the City Clerk read the following memo from the Municipal Services Director:

City of Idaho Falls  
August 25, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ADOPTION OF 1997-1998 FISCAL YEAR BUDGET

Attached for your consideration is a copy of the proposed annual 1997-1998 Fiscal Year Budget that was tentatively approved on August 14, 1997 by the Mayor and City Council and has been advertised as required by Idaho Code.

Municipal Services respectfully requests the adoption of the 1997-1998 Fiscal Year Budget in the amount of \$86,358,665.00 and the attached Appropriation Ordinance, appropriating the monies to and among the various funds.

s/ S. Craig Lords

**NOTICE OF PUBLIC HEARING  
PROPOSED BUDGET FOR FISCAL YEAR 1996-1997  
CITY OF IDAHO FALLS, IDAHO**

A public hearing pursuant to Idaho Code 50-1002, will be held for consideration of the proposed budget for the Fiscal Year from October 1, 1997 to September 30, 1998. The hearing will be held at the City of Idaho Falls Council Chambers located on the second floor of the Idaho Falls Electric Building, 140 South Capital Avenue, Idaho Falls, Idaho at 7:30 p.m. on Thursday, August 28, 1997. All interested persons are invited to appear and provide comments regarding the proposed budget. Copies of the proposed budget are available at the Idaho Falls City Controller's Office during regular office hours (8:00 a.m. to 5:00 p.m., weekdays). City Hall is accessible to persons with disabilities. Anyone desiring accommodations for disabilities related to the budget documents or the hearing, please contact the City Controller's Office at 529-1230 at least 48 hours prior to the public hearing. The proposed FY 98 budget is shown below as FY 98 proposed expenditures and revenues.

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**PROPOSED EXPENDITURES**

<u>Fund Name</u>	<u>FY 96</u> <u>Actual</u> <u>Expenditures</u>	<u>FY 97</u> <u>Budget</u> <u>Expenditures</u>	<u>FY 98</u> <u>Proposed</u> <u>Expenditures</u>
<b>General Fund</b>			
Mayor and Council	\$ 117,979	\$ 119,549	\$ 109,867
Legal	91,988	122,625	129,812
Municipal Services	2,483,653	3,511,277	3,680,887
Police	6,642,642	6,477,491	6,950,432
Planning and Zoning	846,458	984,305	974,711
Parks	3,803,270	4,260,976	4,508,692
Public Works	987,339	914,442	965,247
Fire	5,201,614	5,089,534	5,483,192
General Fund Total	<u>\$ 20,183,943</u>	<u>\$ 21,480,199</u>	<u>\$ 22,802,840</u>
<b>Special Revenue Funds</b>			
Street Fund	\$ 2,509,582	\$ 2,683,688	\$ 2,743,822
Recreation Fund	859,091	883,906	919,703
Library Fund	1,275,792	1,308,121	1,468,070
Passenger Facility Fund	86,153	350,000	350,000
Municipal Equipment Replacement Fund	<u>545,671</u>	<u>960,500</u>	<u>795,700</u>
Special Revenue Funds Total	<u>\$ 5,276,289</u>	<u>\$ 6,186,215</u>	<u>\$ 6,277,295</u>
<b>Capital Projects Funds</b>			
Sanitary Sewer Capital Improvement Fund	\$ 170,557	\$ 100,000	\$ 300,000
Municipal Capital Improvement Fund	206,184	1,000,000	1,350,000
Street Capital Improvement Fund	-0-	249,000	650,000
Bridge and Arterial Street Fund	21,657	25,000	100,000
Water Capital Improvement Fund	126,478	325,000	400,000
Surface Drainage Fund	<u>47,993</u>	<u>50,000</u>	<u>50,000</u>
Capital Projects Funds Total	<u>\$ 572,869</u>	<u>\$ 1,749,000</u>	<u>\$ 2,850,000</u>
<b>Debt Service Funds</b>			
Swimming Pool G. O. Bond Fund	\$ 175,522	\$ 183,690	\$ 179,093
Debt Service Funds Total	<u>\$ 175,522</u>	<u>\$ 183,690</u>	<u>\$ 179,093</u>
<b>Enterprise Funds</b>			
Airport Fund	\$ 3,759,166	\$ 2,350,851	\$ 3,272,723
Water and Sewer Fund	6,446,962	6,877,309	7,332,379
Electric Fund	35,283,270	41,912,700	39,717,365
Sanitation Fund	1,943,730	2,068,202	2,181,025

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**Enterprise Funds, continued:**

Ambulance Fund	1,523,706	1,660,358	1,745,945
Enterprise Funds Total	<u>\$ 48,956,834</u>	<u>\$ 54,869,420</u>	<u>\$ 54,249,437</u>
Total All Funds	<u>\$ 75,165,457</u>	<u>\$ 84,468,524</u>	<u>\$ 86,358,665</u>

**PROPOSED REVENUES**

<u>Fund Name</u>	<u>FY 96</u> <u>Actual</u> <u>Revenues</u>	<u>FY 97</u> <u>Budget</u> <u>Revenues</u>	<u>FY 98</u> <u>Proposed</u> <u>Revenues</u>
<b>Property Tax Levy</b>			
General Fund	\$ 9,461,922	\$ 10,179,175	\$ 10,919,889
Airport Fund	73,536	53,493	57,528
Recreation Fund	213,251	228,843	246,045
Library Fund	763,472	820,539	882,218
Municipal Capital Improvement Fund	305,165	328,814	353,530
Swimming Pool G. O. Bond Fund	164,143	183,000	184,000
Fire Retirement	657,500	541,000	566,000
Police Retirement	265,600	249,000	266,000
Liability Insurance	350,000	350,000	229,200
Property Tax Levy Total	<u>\$ 12,254,589</u>	<u>\$ 12,933,864</u>	<u>\$ 13,704,410</u>

**Revenue Sources Other Than**

**Property Tax**

General Fund	\$ 9,516,465	\$ 10,313,850	\$ 10,710,992
Street Fund	2,712,200	2,732,000	2,743,000
Recreation Fund	645,458	662,856	669,200
Library Fund	495,690	503,621	592,775
Passenger Facility Fund	332,647	300,000	306,000
Municipal Equipment Replacement Fund	269,983	170,000	175,000
Sanitary Sewer Capital Improvement Fund	114,643	85,750	92,750
Municipal Capital Improvement Fund	53,961	20,000	25,000
Bridge and Arterial Street Fund	67,230	132,000	70,000
Water Capital Improvement Fund	273,038	127,750	153,750
Surface Drainage Fund	21,968	34,000	24,000
Street Capital Improvement Fund	-0-	249,000	401,200
Airport Fund	2,611,453	1,837,170	3,119,195
Water and Sewer Fund	6,630,829	6,516,200	6,559,300
Electric Fund	36,357,213	41,763,200	40,939,800
Sanitation Fund	1,862,337	2,075,000	1,870,000
Ambulance Fund	1,827,291	1,525,630	1,644,251
Fund Transfers	994,679	1,205,250	1,258,580

Fund Balance Carryover	<u>1,243,633</u>	<u>1,281,383</u>	<u>1,299,462</u>
Other Revenue Sources			
Total	<u>\$ 66,030,718</u>	<u>\$ 71,534,660</u>	<u>\$ 72,654,255</u>
 Total Revenues – All Funds	 <u>\$ 78,285,307</u>	 <u>\$ 84,468,524</u>	 <u>\$ 86,358,665</u>

I, Rosemarie Anderson, City Clerk of the City of Idaho Falls, Idaho certify that the above is a true and correct statement of the proposed expenditures by fund and the entire estimated revenues and other sources of the City of Idaho Falls, Idaho for the Fiscal Year 1997-1998; all of which have been tentatively approved by the City Council on August 14, 1997 and entered at length in the Journal of Proceedings.

Dated this 15th day of August, 1997.

s/ Rosemarie Anderson  
Rosemarie Anderson  
City Clerk

Councilmember Eldredge requested those with comments in favor of the 1997-1998 Fiscal Year Budget, to come forward at this time.

C. E. White, Jr., 3280 Chapparral, appeared to explain that he understands City Government. He has reviewed the budget proposed for this fiscal year and stated that we need more of some of the services, rather than less. With the small amount assessed property, the City services are a bargain. Mr. White stated that he is in favor of the proposed budget.

Royce Clements, Police Officer for the City of Idaho Falls, 6680 E. Rimrock Drive, appeared to state that he was representing the Idaho Falls Police Association. He stated that he and the officers of the Police Association are in favor of this budget. One of the concerns that he has heard from the public is that if the specialty programs were cut from the Police budget, then there would be more money to place more police officers on the street. He explained for the Council that the only programs that the Police Department runs are crime preventive programs. Statistically, these programs have decreased the number of calls for service from Police agencies. It is not the answer to cut these programs. He stated that the Police Administration at this time is the most effective and efficient that he has ever served. Mr. Clements stated that as a member of the Police Department and a member of this community, he supports the proposed 1997-1998 Fiscal Year Budget.

Chief Kent Livsey, 5575 Marbrisa Lane, appeared to state that he retired from the Salt Lake Police Department a couple of years ago. He was faced with the choice of starting a new career in another City or continuing with the one in Salt Lake City. He stated that his career in Salt Lake City paid significantly more than the one here in Idaho Falls. When he discovered that a person could walk around the Greenbelt, unmolested, at 3:00 a.m., he chose this City to begin a new career. Chief Livsey stated that we have a lot to give up in Idaho Falls if the services are not maintained.

Councilmember Eldredge requested those who wished to appear in opposition of the 1997-1998 Fiscal Year Budget, to come forward at this time.

Doug Toomer, 870 Rainier, appeared to state that the City of Idaho Falls provides good services. He reviewed for the Mayor and City Council the article in Kiplinger's Report regarding a survey of cities and their taxes. Due to the fact that Idaho Falls is looking to diversify, this article is not flattering with regard to the amount of taxes a person pays to live here. Mr. Toomer stated that he understands the need for the increase in the budget, but the City needs to look for ways to reduce the taxes.

Mayor Milam commented with regard to the Kiplinger Report article. She stated that Blackfoot and Pocatello have higher levy rates than the City of Idaho Falls. Boise has three times our population, with a comparable budget for both. While Boise has three times the population of Idaho Falls, they have five times the assessed value. If the assessed

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value of the City was comparable compared to the population, the levy rate for Idaho Falls would be 40% lower. Also, in the City of Idaho Falls, the homeowner is paying \$11.00 per month for unlimited watering of lawns, while in Boise, the homeowner is paying \$200.00 per month for same.

Councilmember Carlson stated that he has read the same article in Kiplinger Report and stated that the City of Idaho Falls does need to watch spending.

Cami Searle, 451 8th Street, appeared to state that when the City of Idaho Falls requests a tax increase, they cannot go to their employer to raise their salaries to compensate. She stated, further, that her children were playing City ball this summer. They paid for the referees to do their jobs. During several games, four referees were sitting, while one referee was working the game.

Mayor Milam stated that the referees and umpires are paid on a per game basis. Although they may be sitting there waiting for their game, they are not being paid for that time.

Verl Metcalf, 542 Gladstone, appeared to question why the Municipal Services Division shows a 48% increase from actual to proposed figures over a two year period.

The Municipal Services Director appeared to explain that under one column, the City is required to show actual expenditures, while the other column is the proposed budgeted amount. Funds need to be budgeted for emergency purposes, snow removal, etc. These items need to be budgeted in case of a problem. State law does not allow municipal governments to overspend, so some surplus needs to be budgeted in for such emergencies.

Mayor Milam stated, for example, that a large amount is budgeted under legal services. Normally, we do not spend all of it. If the City is sued, then the funds are available for defense. The spending authority needs to be available.

Joe Osloond, 2470 Eastview Drive, appeared to state that he would like to find some way to increase the budget without picking on the taxes. He suggested that fees be raised to cover the 3% increase in the budget.

Councilmember Eldredge acknowledged that Janice Madsen came in to review the budget and sent a very nice letter to the City giving suggestions on items that could be changed in the budget. He stated that the City of Idaho Falls received a letter from the District Court, which reads as follows:

District Court  
Seventh Judicial District  
State of Idaho  
August 14, 1997

Honorable Linda Milam, Mayor  
City of Idaho Falls  
P. O. Box 50220  
Idaho Falls, Idaho 83405-0220

Dear Mayor Milam:

Pursuant to the attached letter, the County Commissioners have formally advised the judges that court positions are in jeopardy of not being filled as a result of the proposed reduction of \$47,929.00, in the City budget for magistrate court operations.

No written notice of the \$47,929.00, budget reduction was provided to the Bonneville County Commissioners or the court system. The judges formally request that the \$47,929.00 be reinstated into the City budget, and an

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opportunity be provided the court system to review this matter with City Council.

Before any formal court proceedings are initiated by the County concerning the reinstatement of the \$47,929.00, the judges believe a review of the reasons and the need for City funding should take place. A report is being drafted that will provide City Council an overview of the issues and the critical need for the City's participation in helping to fund the magistrate court operations in Bonneville County.

Administrative Judge James Herndon is presently unreachable (Middle Fork of the Salmon), and Senior Judge Ted Wood is on vacation until August 25th. Judge Herndon will return Sunday night, August 17th.

Thank you for your consideration of this request. Please note our objection to the proposed budget reduction on the record in the City Council Minutes:

Sincerely,

s/ Burton W. Butler  
Trial Court Administrator

BWB:mv

cc: Bonneville County Commissioners  
All District Judges in the Seventh Judicial District  
Kipp Manwaring  
Ron Longmore, Elected Clerk

Following is an attachment to the above letter:

Bonneville County, Idaho  
Board of Commissioners  
August 14, 1997

TO: Honorable James C. Herndon, Administrative Judge  
Honorable Ted V. Wood  
Honorable Brent Moss  
Honorable Richard T. St. Clair  
Honorable Gregory Andersen

FROM: Bonneville County Commissioners

RE: FUNDING OF THE MAGISTRATE COURT OPERATIONS -  
SPECIFICALLY EQUIPMENT, PERSONNEL, SUPPLIES AND  
FACILITIES BY CITY OF IDAHO FALLS

On Friday, August 8th, the Post Register reported that due to budget shortfalls, the City of Idaho Falls has proposed reducing their funding for the magistrate court in next year's proposed budget by \$47,929.00. In discussions with the

Mayor, Burt Butler has confirmed that the proposed City budget (not yet

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approved, and still subject to change), does in fact include a reduction of \$47,929.00.

Based on the City's support of the magistrate court operations the past three years, the County, during this time period, authorized another \$65,000.00, in courthouse renovations (additional district judge), and expanded the pretrial release program, probation services, and added five part-time bailiffs to address court security concerns.

The courts have a request for an additional deputy clerk, and three bailiff positions are presently vacant. We cannot fund these critical positions if the City cuts back on their funding of the magistrate court.

We formally request the District Court Judges in the Seventh Judicial District to review this matter and take whatever action you deem to be reasonable and necessary.

cc: Mayor Linda Milam  
Kipp Manwaring  
Burt Butler

Councilmember Eldredge explained the reasoning for the reinstatement of the \$47,929.00 in the City budget. The District Court explained that it was too late in the budgeting process to absorb these additional monies. The Municipal Services Council Committee, during a recent meeting, decided that this was a good argument and that this money would be reinstated in the Justice Fund.

Councilmember Mills commented that the youth programs basically pay for themselves. He requested Councilmember Eldredge to explain what the Justice Fund does.

Councilmember Eldredge explained that the Justice Fund pays for the operation of the District Court and pays for the clerk, bailiff, etc. The City has a formula to base the amount of money that the District Court receives on the amount of fines that are collected.

Mayor Milam explained, further, that when fines are collected, there is a 90% to 10% distribution. The 10% is retained by the Judicial System to assist in running their operations. For many years, that distribution ratio was sufficient to cover the cost of the Judicial System. Approximately five years ago, the Judges and Commissioners came to the Mayor and requested \$100,000.00 from the City to construct a new court room in the courthouse. The next year, the Judges requested another \$100,000.00 for operations. Mayor Milam stated that she serves on the Judicial District Magistrate Committee. At one of their meetings, it was discussed that Bonneville County collected a smaller percentage of assessed fines than many other counties. Mayor Milam suggested an incentive system to provide for a percentage of the fines collected being returned back to the District Court. The more fines that were collected, the higher the percentage to be retained by the Court System. Idaho Falls is the only city in Bonneville County that rebates a portion of the fines collected.

Councilmember Hardcastle stated that she serves as the Chairperson for the Public Safety Council Committee, to which a vast majority of the monies that are involved in the budget where the property tax allocation is concerned. She stated that she has spent a great deal of time in an effort to balance this budget. She stated that the City of Idaho Falls needs every single one of the Police Officers and Firemen that are on staff. Last year, some

positions as Police Officers and Firemen were eliminated. That cannot happen again. The City of Idaho Falls needs more Policemen and Firemen, not less.

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Councilmember Branson stated that we are using the same number of employees to cover the approximately 300 miles of streets, as we did ten years ago when we had approximately 100 miles of streets. The citizens need to remember that the City of Idaho Falls has grown so much, and in order to keep this a safe committee we need every one of the Police Officers and Firemen. She stated further that the Inspectors in the Building Department do a wonderful job in making sure that buildings are constructed well. Councilmember Branson stated that she appreciates the hard work of all City Employees.

Councilmember Eldredge thanked all of the Division Directors for their hard work on developing the budget. He stated that this has been the most difficult budget year that he has ever experienced. Originally the budget request was for \$1.2 Million more than could be allowed. The City Council cut this budget three times, before it balanced. Unfortunately, the only way the City Council could do that, was to take the 3% budget increase that the State of Idaho allows, which translated into a 2% tax increase. He explained, further, that the fact that the City is requesting a 2% tax increase instead of a 3% tax increase, represents the amount of cutting that occurred. Councilmember Eldredge stated that the City has a responsibility to spend tax dollars wisely.

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

**ORDINANCE NO. 2242**

THE ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE PERIOD COMMENCING OCTOBER 1, 1997 AND ENDING SEPTEMBER 30, 1998; APPROPRIATING AND APPORTIONING THE MONIES OF SAID CITY TO AND AMONG THE SEVERAL FUNDS OF SAID CITY AND DESIGNATING THE PURPOSE FOR WHICH SAID MONIES MAY BE EXPENDED; SPECIFYING THE AMOUNT OF MONEY PAID BY PROPERTY TAX TO BE APPROPRIATED TO SAID FUNDS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

Nay: Councilmember Carlson

Motion Carried.

Following a brief recess, Mayor Milam indicated that this was the time for citizens to appear who had issues for the City Council that are not otherwise listed on the Agenda.

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Mary Stevens, 418 East 23rd Street, appeared to thank the Mayor and City Council for paving the cemetery roadways. She further stated that the City of Idaho Falls is beautiful with the flower gardens, trees, and parkways.

The Airport Director submitted the following memos:

City of Idaho Falls  
August 25, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jim Thorsen, Director of Aviation  
SUBJECT: ASSIGNMENT OF LEASE

Robert Stiger has sold his hangar to V. Lee Hildreth, and has requested that the City consent to the Assignment of the Lease.

The City Attorney has reviewed the Assignment.

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

s/ Jim Thorsen

It was moved by Councilmember Carlson, seconded by Councilmember Branson, to approve the Consent to Assignment of Lease from Robert Stiger to V. Lee Hildreth and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
August 26, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Jim Thorsen, Director of Aviation  
SUBJECT: GRANT OFFER FROM THE FEDERAL AVIATION  
ADMINISTRATION

The Federal Aviation Administration has offered a grant in the amount of \$2,079,487.00 for the emergency runway reconstruction project.



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The Airport Division requests authorization for the Mayor to accept the grant offer.

s/ Jim Thorsen

Councilmember Branson commended Mr. Thorsen, the Airport Director, for the fine job he does for the City of Idaho Falls.

It was moved by Councilmember Carlson, seconded by Councilmember Branson, to give authorization for the Mayor to accept and execute the Grant Offer from the Federal Aviation Administration. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls  
August 22, 1997

MEMORANDUM

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

Attached for your consideration is an Agreement with joint School District No. 93 for the use of the Civic Auditorium for school functions.

It is the recommendation of Municipal Services to approve said Agreement and authorize the Mayor to sign.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the Civic Auditorium Agreement with joint School District No. 93 and, further, give authorization for the Mayor and City Clerk to execute the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls  
August 25, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUCTION SALE TO DISPOSE OF IMPOUNDED, UNCLAIMED,  
AND SURPLUS MERCHANDISE

Municipal Services respectfully requests authorization to conduct a City Auction Sale for impounded, unclaimed, and City surplus merchandise. The sale is scheduled for Saturday, September 13, 1997 at 11:00 a.m.

Municipal Services also respectfully requests to retain Great Western Auction International to set up said auction, tag merchandise, provide crew to man the auction and provide accounting of sales and proceeds at the cost of ten percent (10%) of net proceeds if auction total is over \$5,000.00, or twelve percent (12%) of net proceeds if the auction total is under \$5,000.00.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to give authorization to conduct a City Auction Sale for impounded, unclaimed, and City surplus merchandise and, further, to retain Great Western Auction International to set up said auction, tag merchandise, provide crew to man the auction, and provide accounting of sales and proceeds at the cost of ten percent (10%) of net proceeds if auction total is over \$5,000.00, or twelve percent (12%) of net proceeds if the auction total is under \$5,000.00. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memo:

City of Idaho Falls  
August 26, 1997

MEMORANDUM

TO: Mayor and City Council  
FROM: Renée R. Magee, Planning and Building Director  
SUBJECT: BUSINESS IMPROVEMENT DISTRICT

Attached is a map of the amended boundaries for the Idaho Falls Downtown Business Improvement District. The boundaries on the attached map do not

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encompass G, F, and E Streets, most of D Street, nor Cliff Street. The method for funding shall be essentially the same method as described in the Resolution adopted by Council on June 12, 1997. Real properties shall be assessed for the costs of the business improvement district. The rate of levy of the assessment shall be seven mills for each dollar of assessed value for real property with an annual minimum assessment of \$200.00 and a maximum assessment for \$3,000.00 for two or more contiguous parcels in common ownership. The Council Committee met on August 25, 1997, with the petitioners and City Attorney, and is recommending a public hearing be scheduled for September 25, 1997 to hear testimony on the proposed boundaries and the creation of the business improvement district.

s/ Renée R. Magee

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

It was moved by Councilmember Branson, seconded by Councilmember Hardcastle, to advertise the proposed boundaries and schedule a public hearing to hear testimony on the proposed boundaries and the creation of the Business Improvement District. Roll call as follows:

Aye: Councilmember Mills  
Councilmember Branson  
Councilmember Hardcastle  
Councilmember Eldredge

Nay: Councilmember Carlson

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls  
August 21, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: RIGHT-OF-WAY VACATION - WEST BONNEVILLE DRIVE

Adjoining property owners have petitioned the City to vacate that portion of West Bonneville Drive right-of-way which is located between John Adams Parkway and Syringa Drive. This right-of-way, which is bordered by the canal on one side and the petitioners backyards on the other, was platted as a street but the improvements were never constructed. Although the petitioners have requested vacation of the entire 45 feet of right-of-way, it is recommended that the 20 feet be retained for future utilities and a pedestrian/bikeway.

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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 Mills, seconded by Councilmember Branson, to give authorization for the City Attorney to prepare the necessary documents needed to vacate that portion of West Bonneville Drive right-of-way located between John Adams Parkway and Syringa Drive. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
August 22, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: LICENSE AGREEMENT - UTAH POWER AND LIGHT  
WASTEWATER DISCHARGE PIPE

Attached is a proposed License Agreement between the City and Utah Power and Light Company allowing UP&L to use a portion of City-owned right-of-way for purposes of installing a wastewater discharge pipe.

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

s/ Chad Stanger

The Public Works Director appeared to state that the Utah Power and Light Company Pole Yard was determined to have contamination in the groundwater below it. UP&L was required to pump that water and run it through a treatment facility on site, as well as cap the site with asphalt pavement. In doing so, they had large volumes of water to discharge with no place to go. They requested the City to run this water through the sewer. This process has been going on a number of years. Utah Power and Light has obtained NPDES Permits from the Environmental Protection Agency and the Department of Environmental Quality to be able to discharge directly to the Snake River. In order to accomplish this, Utah Power and Light needs to cross several rights-of-way with a pipe to be able to discharge to the Snake River. This License Agreement gives Utah Power and Light Company the easement to be able to accomplish this.

It was moved by Councilmember Mills, seconded by Councilmember Branson, to approve the License Agreement with Utah Power and Light Company and, further, give

authorization for the Mayor and City Clerk to execute the necessary Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls  
August 22, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: CHANGE ORDER NO. 2 - UTAH AVENUE PROJECT

Attached is proposed Change Order No. 2 - Utah Avenue Project, increasing the contract amount by \$45,513.80, of which \$28,371.37 is attributable to the City of Idaho Falls utilities.

The plans, as prepared by the engineering consultant for the Redevelopment Agency, did not show existing telephone lines which had to be protected during construction. Not being included in the original bid amount, this cost has been presented to the City and the Redevelopment Agency for reimbursement.

Public Works recommends approval of this Change Order and authorization for the Mayor to sign the contract documents, all of which should be made contingent upon approval by the Redevelopment Agency.

s/ Chad Stanger

It was moved by Councilmember Mills, seconded by Councilmember Branson, to approve Change Order No. 2 to HK Contractors, Inc. for the Utah Avenue Improvements Project, contingent upon approval by the Redevelopment Agency and, further, give authorization for the Mayor to sign the Change Order. Roll call as follows:

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

Nay: None

Motion Carried.

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City of Idaho Falls  
August 26, 1997

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: RIGHT-OF-WAY VACATION - LOT 1, BLOCK 21, WINNS  
ADDITION

As previously authorized, the City Attorney has prepared the documents needed to vacate public right-of-way located in Lot 1, Block 21, Winns Addition.

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

s/ Chad Stanger

Councilmember Mills requested the Public Works Director to come forward and locate this area on a map.

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

**ORDINANCE NO. 2243**

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

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

Nay: None

Motion Carried.

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There being no further business, it was moved by Councilmember Eldredge, seconded by Councilmember Carlson, that the meeting adjourn at 8:55 p.m.

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CITY CLERK

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MAYOR

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