

JANUARY 9, 1997

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, January 9, 1997, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Also present:

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

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

Mayor Milam presented her "State of the City Address - 1997", as follows:

STATE OF THE CITY ADDRESS - 1997

In the 1997 Regional Economic Review and Forecast issued recently by U. S. Bank, the Idaho economy is described as "the Energizer bunny", absorbing hits but keeps on going and going and going. That may be an appropriate description of Idaho Falls. Despite the continuing uncertainty caused by downsizing at the I.N.E.L. and the difficulties caused by poor prices for major area crops, we seem to be a community with a steadily improving economic condition.

The commitment to this area by local developers and businesses is stronger, with building permits up \$8 Million over each of the past two years, to \$37 Million. During the summer and fall of 1996, the City Council approved annexations of two business parks and additional property for development between the hospital and the mall, which we hope will result in additional construction activity next year. Several major new retail establishments have been completed and another hotel has opened on Lindsay Boulevard.

The Eastern Idaho Economic Development Council, in which the City of Idaho Falls is a significant player, continues to assist many new businesses get established and existing local businesses to expand. Following several years of work, \$5 Million in Community Reuse Organization Funds were released last spring. Region-wide, dozens of businesses have received loan funds, training funds, and business assistance. Here in Idaho Falls, the Community Reuse Organization and EIEDC have worked with such community projects as the Colonial Theater restoration, the Downtown Development Organization, and the Events Center Organization, as well as providing major grant assistance to the Chamber of Commerce Visitor and Convention Bureau.

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The retail and medical establishments in Idaho Falls have been the economic engines that have kept us from feeling the impacts of the I.N.E.L. and crop prices as much as we might have done. Figures show that Bonneville County generates more than twice as many sales tax dollars as Bannock County, though our population numbers are quite similar. The regional impact of the Grand Teton Mall and all of the related shopping that has exploded in Idaho Falls in the past ten years, as well as the regional impact of the Hospital, growing physician and ancillary services base, has been incredible. Drive down Seventeenth Street, Hitt Road, Woodruff Avenue, Yellowstone Highway, or Broadway on any given day, but especially on a Saturday, and notice the out-of-state and out-of-county license plates. Recently, an acquaintance who is involved with the Pocatello Chamber of Commerce commented that many people travel to Idaho Falls because of stores like Toys-R-Us and Barnes and Noble, which have not yet built in the Pocatello area. Notice that I said "not yet". Those people are here to spend money, folks, and thank goodness for that. It gives us a little breathing room as we firmly establish a diversified manufacturing and industrial base.

On that score, however, I do have some concerns. The most recent economic analyses, in such places as State Department of Commerce Reports, could, in fact, lull us -- and others -- into a false sense of security. During a recent conversation with Governor Batt, he indicated to me that he feels Bonneville County, and by extension Idaho Falls, are economically sound and may not be able to justify needing much help, particularly from the \$30 Million economic transition funds committed by the Department of Energy in the Settlement Agreement. His reference was to a reported 3% unemployment rate. Staff members in the State Department of Commerce have expressed the same sentiment, not only about the D.O.E. funds, but about our qualifying for Community Development Block Grants. But unemployment rates do not reflect voluntary separations, early retirements, and underemployment. The story in last night's paper that 900 people applied for 100 jobs at the Target Store, with similar stories when Sam's Club and Walmart opened a few years ago, indicates that there are a lot of people out there looking for work.

When I ran for this office in 1993, I expressed my concern about meeting the infrastructure needs of a community that has to, literally, build a different economic base. Our only source of funds for much of the infrastructure development that is needed to establish that manufacturing and industrial base is annexation fees, property taxes, and such outside sources as Community Development Block Grants. If we cannot afford to drill the wells, build the roads, and extend the water and sewer lines, we will not be able to support the optimism and willingness to risk private dollars that developers and businesses have shown.

Of the 50 states, Idaho is last in granting local governments authority to meet community needs. Nevertheless there are some steps we can take and have taken. As I've mentioned, ad nauseum, for a number of years the City was using reserve funds to balance its general fund budget each year. That is the budget that pays for your police and fire protection, library services, parks programs, etc. Each year, we have whittled away at the amount taken from reserves to the point that, this year, for the first time, we have "balanced" the budget. While that may not seem like a major issue, and therefore a major accomplishment, to some, I believe that during a time of continuing restrictions

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passed by the State Legislature, during a time when building permits, while improving, are still down significantly from a few years ago, that getting our financial house in order was imperative to continuing as a viable city. At the same time, we are a safer community, with many crime categories reporting significant and sustained decreases and with a Fire Department that is recognized, statewide, for its excellence. Our parks are more beautiful each year and recreation programs continue to grow. Airport passenger traffic has rebounded and work is nearly completed on the apron restoration project. The Library continues to expand its offerings, not just in the print medium, and particularly in the fast changing electronic technologies. The Planning and Building and Public Works Divisions are working effectively with economic development entities, and we will continue existing road resurfacing, curb and gutter, city well upgrades, and maintaining compliance with environmental regulations. I am proud of the work each of our Divisions has accomplished, maintaining quality, improving efficiency, and holding down and reducing costs.

Fee based services, which include electricity, water, sewer, and sanitation, have all undergone cost of service studies. Most recently, the first decrease in electrical rates since 1963 was implemented, for an average decrease of 5-1/2%, and an adjustment to rate classes to more accurately reflect the cost of service delivery. The City is actively working to ensure a stable electrical supply at the most favorable rates. We have joined the Utah Associated Municipal Power Systems organization. UAMPS is currently acting as our scheduler and broker as we, for the first time, have entered the open market, continuing to purchase most of our power supply from the Bonneville Power Administration, but also buying and selling power to control costs and enhance revenues. The future is particularly uncertain in the electrical industry, but we are working with power industry partners, including the Idaho Customer Utility Association (formerly an association of Idaho Rural Cooperatives), and our state and federal elected representatives to protect the interests of this community.

During the last session of the Legislature, a \$.04 increase to the gas tax was enacted. That increase will provide for additional funds for the cities and counties for road construction. Idaho Falls will receive around \$270,000.00 this year, and in the range of a third of a million dollars annually in following years. I have challenged this Council to bank those dollars and dedicate them to major road projects which in some cases qualify for federal funds, but for which those funds are decades away, assuming they are ever available. My personal priority list is to complete the improvements to South Holmes Avenue, between Seventeenth Street and Sunnyside Road, then move on to other projects including Sunnyside Road, Hitt Road between Sunnyside and Lincoln Roads, South Holmes Avenue to Castlerock, and so on. My personal priority list is immaterial, however, unless traffic counts, accident rates, and the ability of each road to efficiently move traffic support it.

Finally, let me express again this year, my pride in serving the citizens of this community and my pride in the City Employees and their efforts to deliver the services our citizens expect. I pledge to continue to seek ways to give citizens meaningful input into the workings of their City government and I wish everyone a healthy, happy, and prosperous new year.

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Mayor Milam and Councilmembers honored the following employees with Years of Service Pins:

30 Years of Service:

Tom Hall, Utility Department	October 10, 1966
Bruce Jones, Police Department	June 27, 1966

25 Years of Service:

Janelle Montague, Parks and Recreation Division	January 13, 1971
Frank Hudson, Parks and Recreation Division	August 2, 1971
Don Gosswiller, Fire Department	November 15, 1971
Jay Packer, Fire Department	January 4, 1971
Dennis Johnson, Fire Department	November 29, 1971
Steve Anderson, Engineering Department	June 1, 1970

20 Years of Service:

Charles Decker, Police Department	March 1, 1976
Ed Farrer, Parks and Recreation Department	April 19, 1976
Leroy Erickson, Fire Department	April 25, 1976
Monty Jacobsen, Fire Department	April 25, 1976
Gary Rose, Fire Department	April 25, 1976
Richard Fowler, Fire Department	April 25, 1976
Allen Campbell, Sewer Department	October 9, 1976
Kevin Davies, Electric Division	August 9, 1976
Rick David, Sanitation Department	November 29, 1976

Mayor Milam and Councilmembers honored Fire Chief Dennis Johnson on his retirement. Following a brief review of his time with the City, he was honored with a congratulatory handshake from everyone present at the Council Table and given a gold watch.

Following a brief recess, Mayor Milam called for nominations for President of the Council. Councilmember Hardcastle nominated Councilmember Melvin Erickson to act as President of the Council for the coming year. There being no further nominations, it was moved by Councilmember Hardcastle, seconded by Councilmember Eldredge, that Councilmember Erickson act as President for the Council. Roll call as follows:

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

Nay: None

Motion Carried.

Mayor Milam announced the Council Committee Assignments for 1997, those being:

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COUNCIL COMMITTEE ASSIGNMENTS FOR 1997

Airport Division

1. Larry Carlson
2. Beverly Branson

Electrical Division

1. Brad Eldredge
2. Ida Hardcastle

Library

1. Ida Hardcastle

Municipal Services

1. Brad Eldredge
2. Gary Mills

Parks and Recreation

1. Gary Mills
2. Melvin Erickson

Public Works

1. Melvin Erickson
2. Gary Mills

Planning and Building

1. Beverly Branson
2. Larry Carlson

Public Safety

1. Idaho Hardcastle
2. Beverly Branson

Mayor Milam requested Council's affirmation of the re-appointment of the City's Division Directors (Airport Division - James H. Thorsen; Electric Division - Mark Gendron; Municipal Services Division - S. Craig Lords; Parks and Recreation Division - Dave Christiansen; Planning and Building Division - Rod Gilchrist; Police Department - J. Kent Livsey; Public Works Division - Chad Stanger), City Treasurer Craig Rockwood, City Attorney Dale Storer, and City Clerk Rosemarie Anderson. It was moved by Councilmember Eldredge, seconded by Councilmember Erickson, that these re-appointments be approved. Roll call as follows:

Ayes: Councilmember Eldredge
Councilmember Carlson
Councilmember Mills
Councilmember Erickson
Councilmember Branson
Councilmember Hardcastle

Nay: None

Motion Carried.

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The City Clerk read a summary of the minutes for the December 19, 1996 Special Meeting. It was moved by Councilmember Eldredge, seconded by Councilmember Mills, that the minutes be approved as read. Roll call as follows:

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

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

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 a BEER LICENSE to The Rock; and BARTENDER PERMITS to Roberta L. Chambers, Robert W. Curran, Karen L. Ford, Jean F. Hanson, Sally J. Kotter, Joann Leberknight, Michael V. McDonald, Bonnie A. Newman, Pamela R. Parris, Heather Jo Smith, and Yvette M. Wise, all carrying the required approvals, and requested authorization to issue these licenses.

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

Ayes: Councilmember Carlson
Councilmember Erickson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Mills
Councilmember Branson

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

The City Clerk presented the following Expenditure Summary dated December 1, 1996 through December 31, 1996, after having been audited by the Fiscal Committee and paid by the Controller:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER & SEWER</u>
SERV/MAT	\$1,091,631.33	\$ 65,857.88	\$ 201,601.63	\$ 231,416.03
SALARY	<u>937,222.73</u>	<u>54,509.09</u>	<u>28,643.12</u>	<u>116,897.25</u>
TOTAL	<u>\$2,028,854.06</u>	<u>\$ 120,366.97</u>	<u>\$ 230,244.75</u>	<u>\$ 348,313.28</u>

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	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP IMP</u>
SERV/MAT	\$1,826,689.43	\$ 41,058.22	\$ 22,903.25	\$ 2,881.15
SALARY	<u>200,580.66</u>	<u>58,791.04</u>	<u>30,097.93</u>	<u>.00</u>
TOTAL	\$2,027,270.09	\$ 99,849.26	\$ 53,001.18	\$ 2,881.15

	<u>LIBRARY</u>	<u>AMBULANCE</u>	<u>MUN EQUIP REPL</u>	<u>BPA WEATH LN FD</u>
SERV/MAT	\$ 101,023.02	\$ 51,503.12	\$ 1,800.00	\$ 38,949.86
SALARY	<u>42,575.40</u>	<u>51,559.57</u>	<u>.00</u>	<u>.00</u>
TOTAL	\$ 143,598.42	\$ 103,062.69	\$ 1,800.00	\$ 38,949.86

	<u>SURFACE DRAIN</u>	<u>TOTALS</u>
SERV/MAT	\$ 2,994.15	\$3,680,309.07
SALARY	<u>.00</u>	<u>1,520,876.79</u>
TOTAL	\$ 2,994.15	\$5,201,185.86

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to ratify the payment of the December, 1996 expenditures as presented. Roll call as follows:

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

Nay: None

Motion Carried.

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.

Mike Pantoja, 1659 Riviera, appeared as the spokesperson for the protesters of the Massage and Natural Health College of Idaho which has recently opened its doors in Idaho Falls. He stated that he is one of twenty-one students who have quit the college in Pocatello in August, 1996. He passed out a packet of information to the Mayor and Council, which included the names of the twenty-one students who quit the Pocatello school.

Mayor Milam commented that the City of Idaho Falls does not license schools. The Mayor further explained that the City does license Massage Establishments and Massage Therapists. These license applicants go through an extensive background review process before being presented to the Council for approval or denial.

Mr. Pantoja continued to explain his concerns with the Massage and Natural Health College of Idaho. One partner, James Cardell, was convicted of sexual battery of a minor; Mr. Hinkley is constantly hugging and kissing students (when asked not to); and, Mr. Hinkley has been fraudulent in his personal and professional information. Mr. Pantoja stated that he is only seeking to protect the community and the students.

Ricky Naegle-Ker, 4338 North 5th West, appeared on behalf of Mr. Hinkley and the Massage and Natural Health College of Idaho. She stated that she is one of the graduates from the College. Mrs. Naegle-Ker said that most of the allegations from the protesters have been exaggerated and unfounded.

The Airport Director submitted the following memo:

JANUARY 9, 1997

City of Idaho Falls
December 26, 1996

MEMORANDUM

TO: Honorable Mayor and Council
FROM: James Thorsen, Director of Aviation
SUBJECT: CONTRACT CHANGE ORDER NUMBER TWO, H-K
CONTRACTORS

The Airport's Consulting Engineering Firm has prepared Change Order Number Two to the Contract with H-K Contractors for the Terminal Apron Replacement Project.

This Change Order will adjust the contract amount to reflect its completion. The Change Order increases the contract amount by \$22,635.50, however, Change Order Number One reduced the Contract by \$96,635.60, for a net reduction in the contract amount of \$74,000.10.

These Change Orders were necessary to correctly account for the federal share of the project.

The Airport Division respectfully requests authorization to accept Change Order Number Two.

s/ James H. Thorsen

It was moved by Councilmember Carlson, seconded by Councilmember Branson, to approve Change Order No. 2 to H-K Contractors for the Terminal Apron Replacement Project. Roll call as follows:

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

Nay: None

Motion Carried.

The Electric Division Director submitted the following memo:

City of Idaho Falls
January 3, 1997

MEMORANDUM

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

JANUARY 9, 1997

Attached for your consideration are two confirmation agreements with BPA for the purchase of a total of 10 MW during the month of January only. The Electric Division respectfully requests City Council ratification of these agreements.

s/ Mark Gendron

It was moved by Councilmember Eldredge, seconded by Councilmember Hardcastle, to ratify the execution of these confirmation agreements with Bonneville Power Administration. Roll call as follows:

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

Nay: None

Motion Carried.

The Municipal Services Director submitted the following memos:

City of Idaho Falls
January 6, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: KINGSTON AIRPORT HANGAR GROUND LEASE - ASSIGNMENT

Attached for your consideration is the Assignment and Assumption of David O. Kingston's Airport Hangar Ground Lease with the City of Idaho Falls and a Consent to said Assignment are also attached. The City Attorney has approved the Assignment and Assumption of Lease.

It is respectfully requested that Council approve the Lease Assignment and Assumption and authorize the Mayor to execute the Consent to Assignment.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to approve the Assignment and Assumption of Kingston's Airport Hangar Ground Lease and, further, give authorization for the Mayor to execute the necessary documents. Roll call as follows:

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

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Nay: None

Motion Carried.

City of Idaho Falls
January 2, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RENEWAL OF INSURANCE COVERAGE

It is respectfully requested that Mayor and Council ratify the renewal of the City's insurance coverage for General Liability, Property, Vehicle Liability, E & O of Public Officials, Police Professional, Fidelity, Excess Liability and Boiler and Machinery Insurance. The premium for the year beginning January 1, 1997 is \$309,459.00 with St. Paul Companies and Hartford Steam Boiler. Fred A. Moreton and Company is the Broker, represented by Harvey Knoll.

s/ S. Craig Lords

It was moved by Councilmember Eldredge, seconded by Councilmember Mills, to ratify renewal of the insurance coverages as listed with St. Paul Companies and Hartford Steam Boiler. Roll call as follows:

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

Nay: None

Motion Carried.

The memo from the Police Chief regarding the denial of a Non-Commercial Kennel License to Georgeann Wheeler was withdrawn as Mrs. Wheeler adopted out one of her dogs and no longer needs this license.

The Police Chief submitted the following memos:

City of Idaho Falls
January 7, 1997

MEMORANDUM

TO: Honorable Mayor and City Councilmembers
FROM: Chief Kent Livsey, Police Department
SUBJECT: SECOND HAND/PAWN BROKERS ORDINANCE

JANUARY 9, 1997

Enclosed for your consideration is an Ordinance revising Section 4-13-14 of the City Code relating to retention of property for a period of fifteen days. This Ordinance eliminates the retention period for firearms bearing a serial number unless the serial number has been altered or unless good cause appears to suggest the firearm has been stolen.

Your consideration in approving this revision is appreciated.

s/ J. Kent Livsey

Following a brief explanation of this Ordinance revision, Councilmember Hardcastle requested the City Attorney to read the following Ordinance title:

ORDINANCE NO. 2221

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 4-13-14 OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO RELATING TO THE RETENTION OF PROPERTY HELD BY PAWN BROKERS AND SECOND HAND GOODS DEALERS; REQUIRING RETENTION OF PROPERTY SO ACQUIRED FOR A PERIOD OF FIFTEEN (15) DAYS, EXCEPT FOR FIREARMS BEARING A LEGIBLE SERIAL NUMBER; PROVIDING FOR SEVERABILITY AND EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle 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 Mills
Councilmember Erickson
Councilmember Carlson
Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge

Nay: None

Motion Carried.

City of Idaho Falls
January 7, 1997

MEMORANDUM

TO: Honorable Mayor and City Councilmembers
FROM: Chief Kent Livsey, Police Department
SUBJECT: OPEN CONTAINER ORDINANCE

JANUARY 9, 1997

Enclosed is a final draft of the proposed Ordinance prohibiting possession of open containers of beer, wine, or liquor within the downtown area of the City of Idaho Falls.

Your consideration in approving this ordinance will be greatly appreciated.

s/ J. Kent Livsey

Following a brief explanation of this Ordinance, Councilmember Hardcastle requested the City Attorney to read the following Ordinance title:

ORDINANCE NO.

AN ORDINANCE PROHIBITING POSSESSION OF ANY OPEN CONTAINER OF LIQUOR, BEER, OR WINE WITHIN THE DOWNTOWN AREA OF THE CITY OF IDAHO FALLS, IDAHO; ADDING NEW SECTIONS 4-2-26, 4-3-16, AND 4-4-11 TO THE CITY CODE OF IDAHO FALLS, IDAHO, PROHIBITING THE POSSESSION OF OPEN CONTAINERS OF SUCH ALCOHOLIC BEVERAGES WITHIN THE DOWNTOWN AREA; PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Hardcastle moved, and Councilmember Branson seconded, that this Ordinance be passed on the first reading only. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
January 7, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: STATE/LOCAL AGREEMENT - PANCHERI DRIVE, PHASE I

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On an earlier date, the Mayor signed the State/Local Agreement between the City and the State of Idaho for Pancheri Drive, Phase I. It was necessary that the Agreement be signed to avoid delays in the bidding process of this project.

Public Works requests that the City Council ratify the Mayor signing this document.

s/ Chad Stanger

It was moved by Councilmember Erickson, seconded by Councilmember Mills, to ratify the Mayor signing the State/Local Agreement between the City of Idaho Falls and the State of Idaho for Pancheri Drive, Phase I project. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
January 7, 1997

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: VACATION OF VERNON/BENNETT AVENUE RIGHT-OF-WAY,
BEL-AIRE ADDITION, DIVISION NO. 3

As previously authorized, the City Attorney has prepared the documents needed to vacate a portion of Vernon Avenue in favor of obtaining deeds for a portion of Bennett Avenue.

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

s/ Chad Stanger

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

ORDINANCE NO. 2222

AN ORDINANCE VACATING A PORTION OF VERNON AVENUE WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE PORTION OF SAID STREET; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO

JANUARY 9, 1997

EXECUTE AND DELIVER ON BEHALF OF THE CITY
A QUITCLAIM DEED CONVEYING THE VACATED
STREET TO THE OWNERS OF THE ADJACENT
LAND, AND NAMING THEM; PROVIDING FOR
EFFECTIVE DATE OF THE ORDINANCE.

The foregoing Ordinance was presented by title only. Councilmember Erickson 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 Erickson
Councilmember Mills
Councilmember Branson
Councilmember Hardcastle
Councilmember Eldredge
Councilmember Carlson

Nay: None

Motion Carried.

City of Idaho Falls
December 19, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: ANNEXATION AGREEMENT AMENDMENT - FIRST LUTHERAN
CHURCH PROPERTY

Attached is a proposed Amendment to the Annexation Agreement for First Lutheran Church property located at Sunnyside Road and Park Road. The original Annexation Agreement for this property required the developers to construct water and sewer main lines across the frontage of the property, but did not provide for reimbursement to the developers the amount collected by the City when adjacent properties connected to those lines. The proposed Amendment provides for reimbursement of those fees to the developers.

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

s/ Chad Stanger

It was moved by Councilmember Erickson, seconded by Councilmember Mills, to approve the Amendment to the Annexation Agreement for the First Lutheran Church property and, further, give authorization for the Mayor to execute said Amendment. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
December 23, 1996

MEMORANDUM

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

Attached is a proposed Sewer Ordinance as prepared by the City Attorney and approved by the Environmental Protection Agency. As proposed, this Ordinance will replace the existing Ordinance and complies with current EPA regulations.

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

s/ Chad Stanger

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

ORDINANCE NO. 2223

AN ORDINANCE REPEALING AND RE-ENACTING CHAPTER 1, TITLE VIII, OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; ESTABLISHING UNIFORM REQUIREMENTS FOR ALL USERS OF THE CITY SEWAGE TREATMENT PLANT AND ALL SEWAGE TREATMENT FACILITIES, EQUIPMENT, SEWER LINES AND APPURTENANCES FOR THE TREATMENT AND DISPOSAL OF SEWAGE, INDUSTRIAL WASTE AND OTHER SUBSTANCES; PRESERVING PRIOR ORDINANCE, PROVIDING FOR SEVERABILITY AND ESTABLISHING EFFECTIVE DATE.

The foregoing Ordinance was presented by title only. Councilmember Erickson 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:

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

Nay: None

Motion Carried.

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

CITY CLERK

MAYOR
