

JUNE 27, 1996

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, June 27, 1996, in the Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho.

There were present:

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

Absent:

Councilmember Brad Eldredge

Also present:

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

Mayor Milam recognized the Skyline High School Continuing Education Course, along with their teacher.

Mayor Milam and City Councilmembers honored City Retirees: Wayne Schneider, Sanitation Superintendent; Terry Edwards, Fire Marshall; and, Tommy Jorgenson, Fire Department Driver. After a brief review of their time with the City, they were individually honored with a congratulatory handshake from everyone present at the Council Table and given a gold watch.

The City Clerk read a summary of the minutes for the June 13, 1996 Regular Meeting. It was moved by Councilmember Mills, seconded by Councilmember Erickson, that the minutes be approved as read. Roll call as follows:

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

Nay: None

Motion Carried.

CONSENT AGENDA ITEMS

The City Clerk presented several license applications, including a BEER NOT TO BE CONSUMED ON THE PREMISES LICENSE to On The Go, BEER TO BE CONSUMED ON THE PREMISES LICENSE to Idaho Brewing Company, Inc., and BARTENDER PERMITS to Lorraine R. Brixey, Joan W. Chapple, Mark L. Cox, Lisann C. Esplin, Jody L. Haney, Connie Jenkins, Jack K. Jensen, Kathena L. Killpack, Queenie Linderman, and Kelli S. McSpadden, all carrying the required approvals, and requested authorization to issue these licenses.

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The City Clerk requested Council ratification for the publishing of a legal notice calling for a public hearing on June 27, 1996.

The Public Works Director submitted the following memo:

City of Idaho Falls
June 25, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: AUTHORIZATION TO ADVERTISE - FIELDING MEMORIAL
CEMETERY ROAD PAVING, 1996

Public Works requests authorization to advertise to receive bids for Fielding Memorial Cemetery Road Paving, 1996.

s/ Chad Stanger

Councilmember Carlson requested the memo from the Public Works Director be moved to the Regular Agenda for consideration. It was moved by Councilmember Mills, seconded by Councilmember Erickson, that the Consent Agenda be approved in accordance with the recommendations presented and, further, move the memo from the Public Works Director to the Regular Agenda as requested. Roll call as follows:

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

Nay: None

Motion Carried.

REGULAR AGENDA ITEMS

Mayor Milam requested Councilmember Branson to conduct Annexation Proceedings for a portion of Chaffin Addition, Division No. 1. It was moved by Councilmember Branson, seconded by Councilmember Carlson, to recess this annexation to the next regular Council Meeting on July 11, 1996. Roll call as follows:

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

Nay: None

Motion Carried.

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The Airport Director submitted the following memos:

City of Idaho Falls
June 24, 1996

MEMORANDUM

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

Recreational Sports and Imports has sold a hangar to Mr. Jim Noble, and has requested that the City consent to the Assignment of the Lease.

The City Attorney has reviewed the assignment.

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

s/ James H. Thorsen

It was moved by Councilmember Carlson, seconded by Councilmember Branson, to accept the Assignment of Lease Agreement from Recreational Sports and Imports to Jim Noble and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
June 24, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Jim Thorsen, Director of Aviation
SUBJECT: GRANT AGREEMENTS - STATE OF IDAHO

The State of Idaho Division of Aeronautics has offered two grants in the total amount of \$60,500.00 to assist in funding the Terminal Apron Replacement Project.

The Airport Division respectfully requests authorization to accept the grants.

s/ James H. Thorsen

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CITY RESOLUTION (Resolution No. 1996-09)

RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO ACCEPTING THE GRANT OFFER OF THE STATE OF IDAHO THROUGH THE IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF AERONAUTICS, IN THE MAXIMUM AMOUNT OF \$38,000.00 TO BE USED UNDER THE AIRPORT DEVELOPMENT AID PROGRAM PROJECT NO. IDA-97 IN THE DEVELOPMENT OF FANNING FIELD AIRPORT; AND,

Be it Resolved by the Mayor and Council of the City of Idaho Falls, Idaho (herein referred to as the "CITY") as follows:

Section 1. That the CITY, shall accept the Grant Offer of the State of Idaho in the amount of \$38,000.00 for the purpose of obtaining State Aid under Project No. IDA-97, in the development of Fanning Field Airport; and,

Section 2. That the Mayor of the CITY is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer (entitled Part II - Acceptance) on behalf of the CITY and the City Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the CITY on the aforesaid statement of Acceptance; and,

Section 3. A true copy of the Grant Offer referred to herein is attached hereto and made a part thereof.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 27TH DAY OF JUNE, 1996.

s/ Linda Milam
Linda Milam, Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson, City Clerk

CERTIFICATE

I, Rosemarie Anderson, City Clerk, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted at a regular meeting of the Council held on the 27th day of June, 1996, and that the same is now in full force and effect.

WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the CITY, this 27th day of June, 1996.

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

JUNE 27, 1996

CITY RESOLUTION (Resolution No. 1996-10)

RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO ACCEPTING THE GRANT OFFER OF THE STATE OF IDAHO THROUGH THE IDAHO TRANSPORTATION DEPARTMENT, DIVISION OF AERONAUTICS, IN THE MAXIMUM AMOUNT OF \$22,500.00 TO BE USED UNDER THE AIRPORT DEVELOPMENT AND PROGRAM PROJECT NO. SP-0018-02 IN THE DEVELOPMENT OF FANNING FIELD AIRPORT; AND,

Be It Resolved by the Mayor and Council of the City of Idaho Falls, Idaho (herein referred to as the "CITY") as follows:

Section 1. That the CITY, shall accept the Grant Offer of the State of Idaho in the amount of \$22,500.00, for the purpose of obtaining State Aid under Project No. SP-0018-02, in the development of Fanning Field Airport; and,

Section 2. That the Mayor of the CITY is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer (entitled Part II - Acceptance) on behalf of the CITY and the City Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the CITY on the aforesaid statement of Acceptance; and,

Section 3. A true copy of the Grant Offer referred to herein is attached hereto and made a part thereof.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 27TH DAY OF JUNE, 1996.

s/ Linda Milam
Linda Milam, Mayor

ATTEST:

s/ Rosemarie Anderson
Rosemarie Anderson, City Clerk

CERTIFICATE

I, Rosemarie Anderson, City Clerk, do hereby certify that the foregoing is a full, true, and correct copy of the Resolution adopted at a regular meeting of the Council held on the 27th day of June, 1996, and that the same is now in full force and effect.

IN WITNESS WHEREOF, I have hereunto set my hand and impressed the official seal of the CITY, this 27th day of June, 1996.

s/ Rosemarie Anderson
Rosemarie Anderson
City Clerk

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It was moved by Councilmember Carlson, seconded by Councilmember Branson, to accept the two grants being offered by the State of Idaho Department of Transportation, Division of Aeronautics, to assist in funding the Terminal Apron Replacement Project and, further, give authorization for the Mayor and City Clerk to execute said documents. Roll call as follows:

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

Nay: None

Motion Carried.

The Electric Division Director submitted the following memo:

City of Idaho Falls
June 27, 1996

MEMORANDUM

TO: Honorable Mayor and Councilmembers
FROM: Mark Gendron, Electric Division Director
SUBJECT: AMENDATORY AGREEMENT TO BPA POWER SALES CONTRACT

Attached for your consideration is the Amendatory Agreement to the BPA Power Sales Contract. Execution of this Agreement is necessary to allow for a modest level of power supply diversification through 2001. Execution of this Agreement will not prejudice the outcome of unresolved matters relating to the City's operational relationship with BPA.

The Electric Division respectfully requests City Council approval of the Amendatory Agreement and authorization for the Mayor to execute said Agreement.

s/ Mark Gendron

Councilmember Hardcastle stated that there has been a great amount of time and energy expended on this Contract. She further stated that the bottom line of this Agreement is to protect the rate payer. Councilmember Hardcastle saluted the Electric Division for their diligence in preparing this Agreement. She requested the Electric Division Director to come forward to further explain this Agreement.

Mark Gendron, Electric Division Director, appeared to state that the Agreement will allow the City to shop in the market place for approximately 6-1/2 Megawatts of power for the next five years. This represents approximately 10% of the City's total load. The Agreement also provides for a five-year rate certainty. BPA has announced a significant rate decrease that will take effect October 1, 1996. This rate decrease will average approximately 12% to all of BPA's public preference customers. This Agreement will lock that rate in place for five years, as opposed to the standard two-year period. Mr. Gendron further explained that this Agreement provides for dispute resolution on certain matters. This Agreement does not harm our position on an unresolved matter, relating to computed requirement status

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with BPA and our rights to displace BPA. Mr. Gendron stated that he does not have assurance, at this time, that BPA will execute this Agreement as written. In particular, BPA has taken exception to the way the City has filled out the Agreement in the area related to computed requirements and displacement rights. Mr. Gendron stated that it is his recommendation, along with the recommendation of his Council Committee and Technical Advisor Bob Mooney, that the Agreement be executed as presented, to protect the City's interests.

Councilmember Mills questioned whether the City would be able to negotiate for a better rate during the five years that the City is locked into BPA. Mr. Gendron stated that the rate proposed from BPA is a fixed rate for five years. There will be no further negotiation of that rate. BPA may offer other products or rates that are in different categories from the preference rate. The preference rate will be fixed for five years.

It was moved by Councilmember Hardcastle, seconded by Councilmember Carlson, to approve the Amendatory Agreement to the BPA Power Sales Contract and, further, give authorization for the Mayor to execute said Agreement. Roll call as follows:

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

Nay: None

Motion Carried.

The Library Director submitted the following memo:

City of Idaho Falls
June 24, 1996

MEMORANDUM

TO: Mayor Milam and City Councilmembers
FROM: Paul Holland, Library Director
SUBJECT: LIBRARY CARPETING BID

It is recommended that the Mayor and City Council award the bid for library carpeting to Cannon Carpets, who was the sole bidder for the carpeting project. A copy of the Bid Tabulation is attached.

s/ Paul Holland

Councilmember Hardcastle explained that this will complete the carpeting for the Library. It was moved by Councilmember Hardcastle, seconded by Councilmember Carlson, to accept the sole bid of Cannon Carpets to complete the Library carpeting. Roll call as follows:

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

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Nay: None

Motion Carried.

The Municipal Services Director submitted the following memo:

City of Idaho Falls
June 23, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID IF-96-19, ONE NEW 1996 COMBINATION SEWER AND
CATCH BASIN CLEANER MOUNTED ON A 1996 OR NEWER CAB
AND CHASSIS

Please find attached the tabulation for the above subject bid.

It is the recommendation of Municipal Services to accept the bid of Hirning Truck Center to furnish a 1997 GMC Cab and Chassis mounted with a Super Products Camel 200 MPC-5 Combination Sewer and Catch Basin Cleaner for an amount of \$140,452.00, with trade-in and Option for a side-mounted house reel.

We are rejecting the apparent low bid of Hirning Truck Center for a GMC Cab and Chassis mounted with a Clean Earth, Safe Jet Vac because of listed exceptions and also it appears, there were more exceptions that were not listed. We also feel that unit with the side-mounted hose reel will better fit our needs for maneuverability and safety.

s/ S. Craig Lords

It was moved by Councilmember Mills, seconded by Councilmember Erickson, to accept the bid of Hirning Truck Center to furnish a 1997 GMC Cab and Chassis mounted with a Super Products Camel 200 MPC-5 Combination Sewer and Catch Basin Cleaner as presented and, further, reject the apparent low bid of Hirning Truck Center for a GMC Cab and Chassis mounted with a Clean Earth, Safe Jet Vac as presented. Roll call as follows:

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

Nay: None

Motion Carried.

The memo from the Planning and Building Director regarding the Final Plat of Dunkley Addition, Division No. 1 was requested to be recessed. It was moved by Councilmember Branson, seconded by Councilmember Carlson, to recess this item to the Regular Council Meeting to be held on July 11, 1996. Roll call as follows:

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

Nay: None

Motion Carried.

The Planning and Building Director submitted the following memos:

City of Idaho Falls
June 25, 1996

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: SUNNYSIDE INDUSTRIAL AND PROFESSIONAL PARK

Attached is a copy of a county plat located adjacent to and on the southerly side of Sunnyside Road and adjacent to the easterly side of the Union Pacific Railroad. This plat is proposed to be an industrial park developed outside the City limits and with individual wells and septic tanks. The staff recommendations included a relocation of the street called Professional Way to the east of its presently designed location. As currently designed, it's intersection with Sunnyside Road is too close to the railroad tracks and traffic signal to provide for the proper flow of traffic. It is also recommended that this property not be developed with individual septic tanks. This matter was recently considered by the Planning Commission, and was approved by a vote of 4-3. This department recommends that if approval is given, the staff recommendations should be made a condition of approval.

s/ Rod Gilchrist

Councilmember Branson stated that the Planning and Building Council Committee had a question as to the advisability of wells and septic tanks being installed this close to the City limits.

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

Councilmember Carlson stated that there is a sewer line approximately 250 to 300 feet from this proposed development. The City needs to start controlling the installation of septic tanks and how much waste is to be pumped into the ground. Councilmember Carlson questioned Mr. Storer, City Attorney, as to what would happen to this development if the request is denied.

The City Attorney stated that the Final Plat would be denied, and the developer would not be able to subdivide or market any of the properties within this area.

Councilmember Carlson stated that he could see the point of view of the developers. The County Commissioners have already approved this Final Plat. He further compared the property tax amounts between the City and the County. Councilmember Carlson stated that there should be a provision of hooking into the City's system for water or sewer without having to go through the annexation process.

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Councilmember Branson questioned Chad Stanger, Public Works Director, if there was a possibility of hooking into the sewer, as that services a larger area than the City of Idaho Falls.

The Public Works Director stated that the policy of the City Council has been to not permit sewer or water service to those properties that were not annexed to the City. This is the position that the Public Works Committee has taken in all discussions with the developer.

Councilmember Carlson questioned whether this was forcing an individual into annexation. If this Final Plat is denied, we are losing tax dollars. He stated that previously he was for this policy of not allowing sewer and water services outside the City limits. Councilmember Carlson stated that something needed to be done between the County and the City. He does not blame the developers for not wanting to be annexed.

Mayor Milam stated that if the City allows the connection of water and sewer outside of the City limits, it is no different than if this request is denied, in terms of property tax issues. Either way, the City does not receive property taxes. The only way the City receives property taxes is if it is annexed.

Councilmember Mills stated that without annexation, the City loses control over the development. He further commented that developed residential land puts a heavy burden on City services, whereas commercial put less of a burden on the services. This provides for a stronger tax base, so that residents do not have to shoulder so much of the tax base.

Councilmember Hardcastle stated that another issue is the pressure on Sunnyside Road.

The City Attorney questioned the Planning and Building Director if he was satisfied that the entrance on Sunnyside Road, as proposed, meets appropriate safety criteria and that the intersection is not jeopardized if this Final Plat is allowed. The Planning and Building Director stated that the recommendation from Staff, was to move the intersection to the east. It is too close to the railroad tracks and to the traffic signal. Further, this development should not have septic systems installed, but should be on the sewer system.

The City Attorney addressed some of the issues that Councilmember Carlson raised regarding present City Policy. One of the things that has been done over the years, is to develop a cohesive policy that encourages developers to annex into the City. The purpose of this policy is that as the City grows and expands, small County islands are not developed and would result in a mixture of City-County jurisdiction. One of the ways that this has been accomplished, and very successfully, is to restrict the delivery of City services to those who annex. That is why the City Policy, not to allow services outside the City, was developed. This will insure uniform control and development.

Councilmember Branson commented on the problems that Boise is having with just this issue. Councilmember Branson asked if there was anyone in attendance who wanted to speak to this issue.

Evan Goodwin, President of Phoenix of Idaho, Inc., 2676 49th South, appeared to state that he originally purchased this property from the original owners along Sunnyside. He purchased Tri-Ag, known as Logan Machinery Company, which was doing business in that area, along with an additional 70 acres. They eventually purchased additional property in that area. At that time, there was a Contract existing between the City and the original property owners along Sunnyside Road, which states that the City would provide sewer services to that 70 acres. Mr. Goodwin purchased this property with that understanding. He further addressed the issue of the access on Sunnyside Road. The existing access on Sunnyside Road has been there for a long time. He stated that he did not want his trucks to use this access, and took it upon himself, to get an easement from the railroad to allow for another access to public roads. Mr. Goodwin addressed the issue of annexation fees and how long it will take to develop this property. This commercial area will take a long time to

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develop. Some consideration needs to be given with regard to the annexation fees and commercial development. He stated that Phoenix of Idaho, Inc. is the owner of the lease with the railroad for the easement on Jameston Road. He would be willing to give it to the City or County in order for the property to develop. He stated that he believed that there were exceptions to all rules. He stated that the City Council needed to take a good look at developing industrial land, so that new businesses may come into the City. Mr. Goodwin further commented that he does represent Sunnyside Industrial and Professional Park. He questioned the Council if he was going to have to pay \$1,300.00 per year to have access onto Jameston Road.

Dale Storer, City Attorney, questioned Mr. Goodwin whether the access to the south, along Jameston Road, would be included with the County Plat being presented. Mr. Goodwin stated that he is not. The City Attorney went on to ask what assurance the Council would have that the easement will not be vacated or sold tomorrow. Mr. Goodwin stated that Jameston Road is the only access that he has. The City Attorney stated that if this easement is sold tomorrow, then the only access to this area is on Sunnyside Road. Mr. Storer stated that through the Plat that is being presented to the City Council, the only access is Sunnyside Road.

Mr. Goodwin stated that he would eventually like Bonneville County to take the easement agreement over and develop it as Yellowstone Avenue has been developed. He further stated that he would grant it to the County today, and would not sell it to a private individual. Mr. Storer questioned Mr. Goodwin again, regarding whether he presented the easement to the County Commission as a proposal to dedicate and plat the easement as a public right-of-way. Mr. Goodwin stated that he has not done that, and does not have a problem in doing that. Mr. Goodwin further stated that he would put the improvements on this easement, according to County standards, and turn it over to the County.

Mayor Milam commented with regard to Mr. Goodwin's statement about the Contract for providing services to areas outside the City Limits. She stated that it goes on to say that the City may require annexation in order to provide those services. Mr. Goodwin agreed. There was a brief discussion regarding annexation policies, then and now.

Mr. Goodwin made one further statement. The City Council needs to look at a compromise if development is to take place in the City of Idaho Falls with regard to commercial property. He wanted to know when and how the City Council was going to accomplish this.

Dave Benton, Benton Engineering, appeared as a representative for Sunnyside Industrial and Business Park. He stated that the Developer has complied with City requirements for Sunnyside Road being an arterial street. Mr. Benton explained further a history of this area and how they arrived at the development presented to Council. He further explained how the developer met Bonneville County's requirements for developing this area. Mr. Benton explained that the logical place to exit this development would be through the Jameston Road easement from the railroad. He indicated that the owners of property in the area stated that their Purchase Agreement indicated that the City would provide services. He felt that this was logical, in that Sunnyside Acres Subdivision is being provided with water and sewer services at this time from the City. Mr. Benton stated that the approval that is being requested from the City is only for the street configuration. The access is there now, and just needs to be clearly defined. Mr. Benton felt that he has provided just that. He stated that the water system has been extended into this area, as there is a fire hydrant located in this area on City water, along with the City sewer being located not too far away. Mr. Benton stated that the Council should forget whether this development is in the City or the County, but should follow state law and connect to the sewer and water as they are within 200 to 300 feet from this area. Again, Mr. Benton asked for approval of the configuration of the streets and the configuration of the Final Plat.

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Mr. Kirk Woolf, 6684 South Limousine, appeared to state that he is the owner and developer of the project. He wanted the City Council to look at what the market will bear, with regard to annexation and being able to sell his lots. He also wished to explain to the Council that the access onto Sunnyside Road is as far east as they can possibly make it. Mr. Woolf does not believe that vehicles will use the Sunnyside Road access, but will use the Jameston Road access first as it is easier to get in and out of. He, further, explained to Mr. Storer, that he has a part-ownership of the Jameston Road access with the railroad. If anyone tries to sell that easement, he will go after them. Mr. Woolf stated that a lot of business is going to Pocatello, because there is no area in Idaho Falls for industrial use to move to. He wanted to explain to the City Council that this will be a clean project, in that he will provide a landscaped entrance on Jameston Road to this area, with good signage. Mr. Woolf stated that he approached the City to enable them to hook up to the City sewer and water, but the City denied him. They in turn, proceeded with the County project, to install a private well and septic system. Mr. Woolf stated that the City of Idaho Falls has lost some business to Pocatello, and should be encouraging them to move to Idaho Falls.

Councilmember Erickson questioned Mr. Woolf regarding his ownership of a parcel located adjacent to the one presented to Council this night. Mr. Woolf stated that he does own that parcel and is going to use it for Phase 2 of this project. Mr. Woolf approached the aerial photo and explained his plans for the future. He explained that Jameston Road is the primary access to this development, with Sunnyside Road being a secondary access. It will be much easier to use the Jameston Road access, than to use the Sunnyside Road access.

Mayor Milam stated that the City of Idaho Falls is annexing business properties into the City. With regard to providing services outside of the City Limits, people who live in this City, who own businesses in this City, and pay property taxes in this City bear the burden to provide services to people who do not want to pay property taxes and annex into the City of Idaho Falls. Mayor Milam further stated that providing services outside the City limits absorbs capacity. When people come along who do want to annex into the City, a share of the capacity that would be available to them, would not be. She stated that this policy is not a new policy. It has been in effect for many years. The job of the City Council is to consider the needs of the people in this community.

Councilmember Erickson commented on the City policy regarding providing services to those outside the City Limits. He explained that a good discussion was held with Kirk Woolf when he approached the Public Works Council Committee regarding providing services to his development. Councilmember Erickson stated that if the City provides these services to Mr. Woolf's development, what incentive would he have to annex into the City of Idaho Falls.

There being no further discussion, it was moved by Councilmember Branson, seconded by Councilmember Hardcastle, to deny the Final Plat (County Plat) for Sunnyside Industrial and Professional Park. Roll call as follows:

Aye: Councilmember Erickson
 Councilmember Mills
 Councilmember Branson
 Councilmember Hardcastle

Nay: Councilmember Carlson

Motion Carried.

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City of Idaho Falls
June 25, 1996

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: PROFESSIONAL SERVICE AGREEMENT - KASK CONSULTING

Attached is a copy of Addendum No. 1 to Professional Services Agreement between the City of Idaho Falls and Kask Consulting, Inc. Kask Consulting was recently retained by the City to prepare the Capital Improvements Plan. The Electrical Division was not included in the original contract. The attached Addendum will include the Electrical Division at an added cost of \$4,800.00. This Department respectfully requests the Mayor and City Council to approve the Addendum as presented.

s/ Rod Gilchrist

It was moved by Councilmember Branson, seconded by Councilmember Carlson, to approve Addendum No. 1 to the Contract with Kask Consulting, Inc. as presented and, further, give authorization for the Mayor to execute said document. Roll call as follows:

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

Nay: None

Motion Carried.

The Public Works Director submitted the following memos:

City of Idaho Falls
June 25, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: AMMON TOWN CENTER, PHASE 2 - HITT ROAD

Cantlon Properties, Inc., has submitted a request for authorization to proceed with the Hitt Road Improvements as agreed upon in the Ammon Town Center, Phase 2 Development Agreement. The City's share of these improvements will be \$127,816.25.

Public Works recommends approval of this submittal and authorization to proceed with construction of these improvements.

s/ Chad Stanger

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Councilmember Erickson further explained this request and stated that money is budgeted for this phase. Councilmember Carlson stated that he feels that we are doing the same thing with this area as we just stated that we could not do for the Sunnyside Industrial and Professional Park. He felt that we are spending a lot of money on Hitt Road for improvements, when all of the property tax dollars will be going to Bonneville County and to the City of Ammon.

Councilmember Erickson stated that the City of Idaho Falls has a responsibility to the Hitt Road and Seventeenth Street intersection, and also to Hitt Road. The City owns all of Hitt Road. It was moved by Councilmember Erickson, seconded by Councilmember Mills, to give authorization to proceed with Hitt Road Improvements as agreed upon in the Ammon Town Center, Phase Two Development Agreement. Roll call as follows:

Aye: Councilmember Branson
Councilmember Hardcastle
Councilmember Mills
Councilmember Erickson

Nay: Councilmember Carlson

Motion Carried.

City of Idaho Falls
June 25, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: PANCHERI DRIVE RIGHT-OF-WAY CERTIFICATE, RESOLUTION,
AND RELOCATION DOCUMENTS

Attached are copies of the Right-of-Way Certificate, Resolution and Relocation documents related to the Pancheri Drive Project, Utah Avenue to Capital Avenue. These documents authorize Public Works to certify to the State of Idaho that the right-of-way needed for the referenced project has been acquired.

Public Works recommends approval of the Resolution and authorization to execute the related documents.

s/ Chad Stanger

RESOLUTION (Resolution No. 1996-11)

To Accompany Right-of-Way Certificate for F. A.
Project No. STP-M-7406(007).

WHEREAS, the City of Idaho Falls intends to construct Pancheri Drive-Utah Avenue to Capital Avenue, under Federal-Aid Highway Project No. STP-M-7406(007); and

WHEREAS, federal funds for the improvement depend upon compliance with federal and state laws governing procurement of right-of-way; and

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WHEREAS, the City of Idaho Falls has complied with the aforesaid laws and regulations in procuring right-of-way for Federal-Aid Highway Project No. STP-M-7406(007).

NOW, THEREFORE, BE IT RESOLVED:

1. That the City is authorized to execute a RIGHT-OF-WAY CERTIFICATE certifying that the aforesaid laws have been complied with.
2. That copies of the executed certificate shall be furnished to the Idaho Transportation Department, Division of Highways.

CERTIFICATION

I, hereby certify that the above is a true copy of a Resolution passed at a Regular Meeting of the City Council held on June 27, 1996.

s/ Rosemarie Anderson
City Clerk

(SEAL)

It was moved by Councilmember Erickson, seconded by Councilmember Mills, to approve the Pancheri Drive Right-of-Way Certificate, Resolution, and Relocation Documents and, further, give authorization for the Mayor to sign the necessary documents. Roll call as follows:

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

Nay: None

Motion Carried.

City of Idaho Falls
June 25, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: MISCELLANEOUS ENGINEERING SERVICES - CH2M HILL

Public Works requests authorization for CH2M Hill to provide miscellaneous City engineering services on a time and expense basis.

s/ Chad Stanger

After a brief explanation regarding these services, it was moved by Councilmember Erickson, seconded by Councilmember Mills, to approve CH2M Hill to provide miscellaneous

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engineering services as provided. Roll call as follows:

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

Nay: None

Motion Carried.

The following memo from the Public Works Director was listed on the Consent Agenda and requested by Councilmember Carlson to be moved to the Regular Agenda to be considered:

City of Idaho Falls
June 25, 1996

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: AUTHORIZATION TO ADVERTISE - FIELDING MEMORIAL
CEMETERY ROAD PAVING, 1996

Public Works requests authorization to advertise to receive bids for Fielding Memorial Cemetery Road Paving, 1996.

s/ Chad Stanger

Councilmember Carlson questioned as to why the cemetery roads are being paved, when we have 600 miles of street in the City that are a mess. Councilmember Erickson stated that the cemetery roads are also the City's responsibility. Mayor Milam stated that this paving is not coming out of the Public Works budget. This Council approved, two years ago, a \$15,000.00 line item to be used to either replace or put in new sidewalks on City-owned property. On alternate years, this money would be used to begin paving the cemetery roads. It was moved by Councilmember Erickson, seconded by Councilmember Mills, to give authorization to advertise to receive bids for Fielding Memorial Cemetery Road Paving, 1996. Roll call as follows:

Aye: Councilmember Mills
Councilmember Erickson
Councilmember Branson
Councilmember Hardcastle

Nay: Councilmember Carlson

Motion Carried.

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There being no further business, it was moved by Councilmember Mills, seconded by Councilmember Hardcastle, that the meeting adjourn at 8:50 p.m.

CITY CLERK

MAYOR
