

## February 7, 2019

The City Council of the City of Idaho Falls met in Special Meeting (Area of Impact Council Discussion), Thursday, February 7, 2019, in the Council Chambers in the City Annex Building located at 680 Park Avenue in Idaho Falls at 3:00 p.m.

### Call to Order and Roll Call:

There were present:

Mayor Rebecca L. Noah Casper  
Councilmember Thomas Hally  
Councilmember Shelly Smede  
Councilmember Michelle Ziel-Dingman  
Councilmember Jim Freeman  
Councilmember Jim Francis  
Councilmember John Radford

Also Present:

Brad Cramer, Community Development Services Director  
Kerry Beutler, Assistant Community Development Services Director  
Chris Fredericksen, Public Works Director  
Michael Kirkham, Assistant City Attorney  
Kathy Hampton, City Clerk

Mayor Casper called the meeting to order at 3:08 p.m. with the following:

### City Area of Impact (AOI) Discussion – Proposed Pilot Project Parameters, Proposed Area of Impact Agreement:

Mayor Casper stated the Council is scheduled to meet with the Bonneville County Commissioners on February 19 to design a pilot project for utility extension. Councilmember Smede questioned the pending annexation bill on the State legislative schedule. Director Cramer stated the annexation conversation is ongoing with the legislators. Mayor Casper noted the Chamber of Commerce hosts a weekly tele-conferencing legislative session.

Director Cramer reiterated a significant change with the State legislators could change the local annexation process. He stated annexation is a difficult process, any pilot project should be strategic and restrictive. Director Cramer reviewed the following proposed pilot project parameters. Following general discussion, all requested changes have been noted in parenthesis.

### Utility Extension Pilot Project Parameters (A Plan to Protect Tax Payers and Rate Payers) –

As a pilot project to explore the possibility of further extensions of City utilities to un-annexed properties within the area of City impact, the City will consider a request for utilities outside City-limits with the following conditions and parameters:

- The property is within the area of impact boundaries
- The City has Category B annexation authority
- The applicant for the pilot project can demonstrate efforts made to become contiguous with the City. At a minimum, such efforts can be demonstrated by evidence of discussions with adjacent property owners who, through annexation of their property, could make the requesting property contiguous
- If approved, the applicant, Bonneville County, and the City of Idaho Falls will sign and record a development agreement which includes, (but is not limited to) the following:
  - (Applicant will pay standard City review fees)
  - A requirement the property be annexed immediately upon becoming contiguous to the City's corporate limits
  - The full cost to extend any utility, including any required oversizing of pipes, shall be borne entirely by the applicant
  - If a future connection is made to the line(s) extended, the City will collect any available front footage fees described in City Code and distribute them to the applicant per a late-comer's agreement

February 7, 2019

- (Water system/water grid will be reviewed to ensure compliance with fire suppression/hydrant requirements)
- All infrastructure including utilities, roads, curb, gutter, sidewalk, and storm water collection shall be built to the City of Idaho Falls standard specifications and requirements approved at the time the application is made (Paid for by the applicant/developer)
- Construction of the utilities and any other public infrastructure shall not commence until the City has reviewed the improvement drawings for the project, any required corrections to the plans have been reviewed by the City, and Bonneville County has issued permits for the amended, City-reviewed drawings
- (City does not participate in any costs for work or infrastructure on private property)
- The City will review and return comments on required corrections within fifteen (15) working days of receipt of the drawings
- Bonneville County will allow the City to inspect any and all constructed infrastructure for compliance with Idaho Falls' standards at any time during and after the project.
  - Utility lines will not be buried until the City has inspected and approved the construction
  - Bonneville County will not accept the roadway or any other surface infrastructure until the City has inspected and approved the construction
- If the City determines and can provide evidence that the utility was not constructed to Idaho Falls' standards, the City will not allow the property to receive the utility service until the appropriate corrections are made.
- (Time limit: 5 years)

Mayor Casper believes the Pilot Project Parameters could be included with the Annexation Principles. Director Cramer stated the AOI study map has been updated, he reviewed proposed boundaries and potentially eligible pilot project properties. Mayor Casper expressed her concern with the limited map boundaries as she believes the City will outgrow this area. She recommended this map be reviewed in five (5) years versus ten (10) years. Director Cramer stated the City supplied the data for the map. He indicated vacant land is roughly 25 years of growth based on 20-40 year annexation averages. He believes the County prefers the Sunnyside/I15 area to be excluded from the AOI. Director Fredericksen noted the acreage in the noncontiguous area as well as acreage in Bonneville County infill. He believes this would be the County argument to the boundary. Director Fredericksen reviewed current and proposed sewer service lines. He stated the City can grow without the sewer lines as outside entities could service the sewer line. If there is agreement to extend outside of City areas, several parcels have already been developed. Director Fredericksen stated long-term concern is the City being surrounded by County development. He stated several areas have agreements for annexation which would then make other areas contiguous. Mayor Casper stated there should not be any final decisions until the State legislators have concluded. She believes this is a pilot of time, not a geographical location. Councilmember Radford indicated he does not want to create islands, he believes the pilot project is a way to grow. Councilmember Freeman questioned the County and their desire for utility extensions. Director Fredericksen believes this is encouraging fringe development. Mayor Casper believes this may result in urban density. Brief discussion followed regarding the sewer service area and capacity and, the ratepayer fees. Director Fredericksen stated the County has additional options for sewer service as there are competing utilities. He believes the pilot project will incentivize development outside of the City, including transportation infrastructure. Director Cramer stated the pilot project would not incentivize any infill, as any planning strictly on the utilities is too narrow. Councilmember Dingman expressed her concern for the third bullet. Director Cramer stated the County will not approve applications for development unless the applicant is approved by the Council. Councilmember Radford believes the County should inform their citizens of the risk of annexation. Following general discussion, there was consensus to provide the County with the proposed Pilot Project Parameters, the Annexation Principles, and potential for delaying the scheduled meeting pending legislation.

There being no further business, the meeting adjourned at 4:40 p.m.

s/ Kathy Hampton \_\_\_\_\_  
CITY CLERK

s/ Rebecca L. Noah Casper \_\_\_\_\_  
MAYOR