

JULY 25, 1974

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, July 25, 1974, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen; Councilmen Jim Freeman, Mel Erickson, Jack Wood, Gil Karst, Paul Hovey, and Norris Gesas. Also present: Roy C. Barnes, City Clerk; Lorna Coughlin, City Treasurer; Don Lloyd, Public Works Director; Ernie Craner, Parks and Recreation Director; Chad Stanger, General Services Director; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Lee Mundell, Personnel Director.

Minutes of the last recessed, regular meeting, held July 11th, 1974, were read and approved.

At the invitation of the Mayor, Councilman Freeman escorted his father, Mr. Russell Freeman, to the Council Table and, more specifically, to Councilman Melvin Erickson, Chairman of The Golf Committee. Erickson commended Mr. Freeman on the fact that he had served 18 years as a City Councilman. Moreover and perhaps equally impressive, continued Erickson, Mr. Freeman, whether in the capacity of a Councilman or an interested citizen, had served the City in a dedicated manner the entire period since living in this City, especially in promoting and even voluntarily overseeing beautification of the parks, the golf course and other public places such as hospitals. With particular reference to Pinecrest Golf Course, Erickson noted that Mr. Freeman had been responsible for the planting of many shrubs and trees within that facility and figuratively, if not literally, knew the location and species of every tree and shrub on the course, as well as when they were planted. Erickson presented Mr. Freeman with a small metal plaque indicating that Mr. Freeman, by virtue of said plaque, was given lifetime playing privileges on the course. Erickson said this was a mere token of appreciation from the Mayor and City Council for the countless dedicated hours of service performed in many capacities for the City. Mr. Freeman then received a congratulatory handshake from all City Officials around the Council Table.

Mr. Freeman expressed appreciation for the plaque. Noting there had recently been publicity on the deportment of a few undesirable young people at Tautphaus Park. Mr. Freeman then offered personal testimony as to what he had recently experienced within that park. He said he had been stopped on one of the roadways by some young people who had their car parked in such a way that no one could get by. Mr. Freeman said that, even though about 95% of the people who frequent the park do so for wholesome activity, the other 5% make it miserable and, actually, in some cases, causes hardship for all others. Mr. Freeman strongly urged walking policemen stationed in the park at appropriate hours to control this undesirable element.

At the invitation of the Mayor, Police Chief Pollock escorted Captain Stan Ward to the Council Table. The Mayor presented Mr. Ward, a recent City employee retiree, with this written resume; covering some of his activities as a police officer since his appointment in 1949:

STANLEY D. "STAN" WARD, known to many as "PAPPY" was appointed to the Idaho Falls Police Department on May 1, 1949. Stan was one who felt that training and job improvement was a must. Through Stan's 25 years of service on the Department he attended 57 different specialized police schools. He also obtained numerous college credits through his outside studies. Stan was one of the first to receive an Advanced Certificate from Peace Officers Standards and Training, State of Idaho.

Stan has seen many, many changes in crimes and their importance. In his first years as an officer one of the most exciting crimes was when some one had their car stolen, or had misplaced it. As years passed this type of crime, "though important to the victim" has moved to a less significant place in the category of crime.

Stan has become an avid sportsman in the field of snow machines. He has indicated that this is why he is in such good shape, that is along with his present occupation since
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retirement. Stan has his own landscaping business and we understand that he does “mighty purty work”.

On May 1, 1974, after 25 years service with the Police Department, Stan retired. And Stan, we wish you many years of happy, active, retirement and we thank you for you contributions to making our City a better place to raise our families.

The Mayor then commended Mr. Ward for his many years of dedicated service as a police officer and presented him with an inscribed billfold as a token of appreciation on the part of the City Administration. Mr. Ward then received a congratulatory handshake from all City Officials around the Council Table.

Recognizing Dr. William P. Rogers, local veterinarian, in the Council Chambers, the Mayor asked that this memo from City Planner Gilchrist be presented at this time:

Bonn. Council of Govn.
July 25, 1974

MEMORANDUM

TO: Mayor and City Council
FROM: W. Rod Gilchrist
SUBJECT: AMENDMENT TO ZONING ORDINANCE #1115, “PET CARE CLINICS”

Attached is a copy of a proposed amendment to the City Zoning Ordinance relative to the “Pet Care Clinics”. This proposed amendment has been discussed with the City Council in the past and at the regular meeting of the City Planning Commission on July 9, the amendment as attached was recommended for approval by the Mayor and City Council. This Department concurs with the recommendation of the City Planning Commission and is now being submitted to the Mayor and City Council for your consideration.

s/ William Gilchrist
Director

Proposed Amendment to Zoning Ordinance No. 1115 by adding the following:

ARTICLE II

Definitions: (Pg. 10)

Pet Care Clinic: A place where small animals or household pets are given medical or surgical treatment and are cared for during the time of such treatment. Pet Care Veterinarian Clinics shall be designed and constructed so that sound emitted through exterior walls or roofs enclosing areas where animals are treated or kenneled during treatment shall not exceed 65 decibels. The Clinic shall also be constructed in such a way as to produce no objectionable odors outside its walls.

ARTICLE 7-7 R-3A ZONE

7-7-2 Use Requirements

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9. Small animal veterinarian clinics within a completely enclosed building and with no boarding or grooming except as incidental to medical care.

7-7-2-10 (Section 7-7-2-9, as now written, renumbered 7-7-2-10)

Dr. Rogers appeared before the Council saying that he represented all other veterinarians in the City but that the others were unable to attend. He questioned the 65 decibel limitation on the grounds that, on occasion, a dog might exceed said limitation. Mr. Gilchrist appeared briefly to explain that these proposed amendments had been taken from at least two California ordinances and appeared to be standard practice. In answer to a question by Dr. Rogers, it was explained that the decibel reading, as if and when taken, would be at the property line. Dr. Rogers then questioned the boarding and grooming section of the proposed amendment. Gilchrist explained and stressed the fact that this pertained only to those who might otherwise wish to make boarding and grooming a principal activity of the business. He said that, to his knowledge no veterinarian within the City engages in such a practice and that incidental boarding and grooming would be permitted. Councilman Wood noted that boarding and grooming would normally require outside runs and would not be compatible in an R-1 zone. The Councilmen were in general agreement that no veterinarian within the City should have any problem complying with these amendments and that all veterinarians operated their businesses in such a manner that there had been virtually no outside complaints from near-by residents. These explanations seemed to satisfy Dr. Rogers who concluded his remarks by saying that he and his colleagues were desirous of complying with all City ordinances. It was moved by Councilman Wood, seconded by Karst, that the City Attorney be authorized and directed to prepare an amendatory ordinance for Council consideration and that all veterinarians would receive a copy prior to its passage by the Council. Roll call as follows: Ayes, 6; No, none; carried.

Noting Mr. Wayne Wilcox in the Council Chambers, the Mayor asked that this memo from the City Planner be presented and read:

City of Idaho Falls
July 25, 1974

MEMORANDUM

TO: Mayor and City Council
FROM: W. Rod Gilchrist
SUBJECT: REQUEST FOR VARIANCE, WILCOX CONSTRUCTION CO., INC.

Attached is a copy of a request for a variance to expand and improve a neighborhood building material and supply facility located at 2025 First Street. This business is now in operation and known as Falls Valley Supply Company. The property is now zoned C-1 and this zoning does not permit the operation of a lumber yard. The petitioner requests permission to expand the business and sell building materials on a limited basis.

The attached petition has the signatures of thirteen (13) adjacent property owners who concur with the request and this office has received no objections.

The request is now being submitted to the Mayor and City Council for your consideration.

s/ W. Rod Gilchrist

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Mr. Wilcox appeared briefly to say that this business, known as the Falls Valley Supply Company, was designed as a neighborhood building supply center. In answer to a question by a Councilman, Wilcox said there would be adequate landscape shielding. Councilman Gesas urged, in the event this variance were granted, that an extra effort be made to eliminate weeds. To this, Mr. Wilcox agreed. Councilman Freeman noted that there are many businesses permitted in a C-1 zone that would be less desirable. It was moved by Councilman Wood, seconded by Karst, that this request for a variance be granted. Roll call as follows: Ayes, 6; No, none; carried.

This letter, signed jointly by several 9th Street residents, was presented and read aloud:

1100 Ninth Street
July 8, 1974

His Honor the Mayor
and City Council
Idaho Falls, Idaho

Gentlemen:

This is a follow-up of a letter written to you in the spring of 1972 by the residents that live near the 7-11 Store and Service Station on 9th Street.

Following that letter there were some accomplishments. The most glaring lights at the store were partially shielded and the weeds were pulled from the plots in front of the store. Also, there seemed to be an effort by the store operator to keep the noise down for awhile.

However, during the last year, and especially this spring, the situation has deteriorated to a point that is almost intolerable. The worst annoyances are listed below.

1. The operator at the service station apparently sells and repairs motorcycles (and snowmobiles in winter). At times the noise associated with this is almost unbearable. The noise level is especially high when they are being run at the station because the sound is reflected across the street by the building.
2. The vacant land by the store and service station is frequently used by the motorcyclists. One has to listen to this noise for awhile to appreciate how irritating it can be. There are occasionally motorcycles run in this area that make very little noise and we have no objection at all when this is the case. However, it seems the majority are like the ones at the service station. They indicate little or no evidence of mufflers. Many people have told us this is a problem all over town, in spite of the fact that it is illegal.
3. Probably the most annoying thing of all is the noise resulting from the 7-11 Store's being open all night. This started during the winter. It didn't cause as great a problem during cold weather because the frequency of noise at night was less and

windows at residence are generally closed. Even so, police were called occasionally during the winter to quiet noise in the parking lot. Since warm weather arrived and windows must be open, our sleep is frequently disturbed almost every night. The police are more frequently called, but even though they have given us good response

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the noisy element has often awakened everyone and left. We usually wait quite awhile before calling the police, hoping they will leave any minute.

We do not believe the City should permit a business that is located in a residential district and attracts the public to remain open after bedtime. It is obvious that the clientele during such hours are more likely to be noisy people who have been drinking and driving noisy cars. They yell at one another in the parking lot and roar off with little regard for sleeping residents. After a person is awakened and has become angry, it is difficult to go back to sleep.

We respectfully request some positive action on the above items. We are at loss as to what to do. We have considered moving but don't like the idea of being driven out of our homes where some of us have lived for over twenty years. We have considered legal action but prefer this as a last resort. It is the City's responsibility to protect our civil rights that are being violated.

Sincerely yours,
Mr. & Mrs. Blair Johnson
1100 9th Street

Mr. & Mrs. Glenn Scott
1090 9th Street

Mr. & Mrs. V. Wagner
1130 9th Street

Hilma Paarmann
1120 9th Street

Victoria Goodman
1110 E. 9th Street

Mrs. Blair Johnson, 1100 9th Street, appeared to say that there will always be noise and disturbances at the 7-11 Store, 1155 9th Street, as long as said store is permitted to keep their parking lot lights on which, presently is all night. She said that when Police Officers appear, the noise making youths disappear. Some of the neighbors, on occasion, have even attempted to assist the Police by locating and apprehending said youths, but without success.

Mrs. Glen Scott, 1090 9th Street, also appeared to remind the Council that the store, as indicated, even, by their name, was supposed to close at 11:00 P.M. She also noted that the original development plan provided for any and all businesses within that RSC area to face the center of said area. Mrs. Scott then urged the passage of a curfew ordinance which would put the burden of proof on the parents of children found in violation. It was generally agreed that the City could do nothing about the closing hour but it was also agreed that this should be checked closely

with the City Attorney. Councilman Gesas asked two questions: First, could all motorcycles be required to be checked annually for safety and noise? Second, could the decibel limitation requirement be lowered by ordinance? Police Chief Pollock appeared briefly to explain; relative to the decibel limitation, that, at the time the noise ordinance was passed, it seemed unwise to have a decibel limitation lower than that required by the State. Councilman Freeman suggested that the Police discuss this problem with the store manager. Pollock said the store management is being

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watched closely, particularly from the standpoint of selling beer to minors. In the absence of further comment, it was moved by Councilman Wood, seconded by Freeman, that this matter be referred to the Police Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

License applications for CONFECTIONARY (Transfer), Merrilyn Rish to Keith Gardner for Karmel Korn Shop; ELECTRICAL CONTRACTOR, Dale E. Williams for Capitol Electric Co., T. Grant Gallup for Grant Gallup Electric; JOURNEYMAN ELECTRICIAN, Frederick Koster, Dale E. Williams; APPRENTICE ELECTRICIAN, Lon G. Severson, with Clifford Electric, Brent Inskeep with Northwest Electric, Myron L. Davenport, with LOC Electric; JOURNEYMAN PLUMBER, Vern C. Hutchens, Thayne Kunz; CLASS D JOURNEYMAN, REF., Walter C. Simmons with John H. Wernli, Inc.; CLASS D APPRENTICE, REF., John H. Wernli, Jr.; NON-COMMERCIAL KENNEL, Shirley Moddax and Lyle Moddax; BEER, (Transfer only), from P.B. Coburn to G. Jay Harman for Chariott II; TAXI CAB OPERATOR, Keith D. Hanson, Harry R. Christensen, Russell Barcroft Hyland; BARTENDER, Darleen Serratt, Sarah Frey, Viola Hadson, were presented. It was moved by Councilman Wood, seconded by Freeman, that these licenses be granted, subject to the final approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls
July 23, 1974

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: CHANGE ORDER NO. 8 STP

We are submitting herewith Change Order No. 8 for the Sewage Treatment Plant involving a number of miscellaneous items. This is expected to be the last change order to finalize the Brennan contract.

This change order has been reviewed by the Public Works Committee and we are recommending that the Mayor and City Clerk be authorized to sign the City's approval.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Karst, that this change order on the Brennan contract be accepted and the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

From General Services Director Stanger came this memo:

City of Idaho Falls
July 23, 1974

TO: Honorable Mayor and Councilmen
FROM: Chad Stanger
SUBJECT: MILEAGE RATE

The summer work season with added City crews has presented the usual problem of vehicle shortage. We cannot increase the City fleet to meet peak demand and we are having
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difficulty in obtaining the use of employee's private vehicles because of the discrepancies between current operating costs and the mileage rate paid.

In order that the mileage rate can be brought into line with current costs I would like to recommend your consideration in mileage payments of 18¢ per mile for the first one hundred miles on a local basis; 15¢ for every mile thereafter and 15¢ per mile on out of town travel.

s/ Chad Stanger

Councilman Erickson noted that there is more of a demand, especially during the summer 90 day peak, for City vehicles than there are City vehicles available and the General Services Director hesitated to ask that certain employees, including W.A.E. summer employees, use their own vehicle when the costs of operation had soared to such a high level. Erickson quoted from certain official publications, verifying the fact that Mr. Stanger's recommendation is not out of line. Erickson continued by saying that the local car rental companies report that 19¢ to 20¢ would be a fair rate. He also noted that the City garage reports it costs 20¢ a mile to operate and maintain a City owned vehicle. In answer to a question by Councilman Hovey, Stanger said summer projects require men with vehicles, siting for purposes of illustration, inspection on construction projects, park watering, etc. Stanger noted that only about three additional privately owned vehicles would be involved. Councilman Karst noted that most of the demand for privately owned vehicles would be for short trips within the City where costs of operation are at a maximum and that the City could not ask employees to use their own vehicles at a financial sacrifice. There was general discussion about the problems that might be involved relative to liability insurance coverage. It was moved by Councilman Erickson, seconded by Gesas, that the proposal on rates for privately operated vehicles, as more fully described in the foregoing memo, be approved, effective August 1, 1974. Roll call as follows: Ayes, 5; No, one; carried. Councilman Hovey voting no.

It was then moved by Councilman Wood, seconded by Karst, that the liability question, mentioned above, be referred to the City Attorney for investigation and the rendering of an appropriate legal opinion. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Gesas reported that the Public Works Council Committee was recommending that a vacant residence at 610 North Water be acquired for the appraised price of \$7,000, said property to be eventually used for the Birch-5th Street connection. It was moved by Councilman Gesas, seconded by Karst, that the City Attorney be authorized and directed to proceed with the acquisition of said property. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Wood, that the meeting adjourn at 9:00 P.M., carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

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