

JUNE 27, 1974

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, June 27, 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, Ralph Wood, Gil Karst, Paul Hovey, and Norris Gesas. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Lorna Coughlin, City Treasurer; Chad Stanger, General Services Director; Don Lloyd, Public Works Director; Lee Mundell, Personnel Director; Steve Harrison, Electrical Engineer; Ernie Craner, Parks & Recreation Director; Paul Lundblade, Building Official.

Minutes of the last regular meeting, held June 6, 1974, were read and approved.

Mrs. Fred Jaussi, 1225 S. Holmes, appeared before the Council for the purpose as described by this memo from the Building Official, presented by the City Clerk:

City of Idaho Falls
June 27, 1974

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Building and Zoning Division
SUBJECT: VARIANCE IN AN R-3A ZONE

Mr. and Mrs. Jaussie are making a second request for a variance from Ordinance #1115 to construct two (2) dwellings on Lots 36, 37, 38, 39, 40 and the north five (5) feet of 41, Block 72 of the Highland Park Addition in an RP-A zone. This totals 130 feet, leaving a 65 foot frontage for each building site. Ordinance #1115 requires an 80- foot frontage.

This office would again recommend denial of this appeal as at the last Council Meeting, simply because if approved, we will be plagued with similar requests in this area and our RP-A zone will be lost.

Please see attached plot plan.

Respectfully submitted for your consideration.

s/ Paul Lundblade
Building Official

Mrs. Jaussi explained that she and her husband had purchased additional lots, 4 ½ years ago giving them a total frontage of 130 feet. She said she inquired at the Building Division at that time and was told that, within that zone, 62 ½ feet was required for one residential property. Based upon that information, then, they purchased more lots for a total of 200 front feet, thinking that there would be sufficient frontage for three residential lots. Mrs. Jaussi continued by saying that County Commissioner Orval Forbs, also present in the Council Chambers then purchased 70 front feet from them, went to the Building Division for a building permit, only to discover that 80 feet frontage was required in an RP-A zone. She said that this information completely interrupted his building plans as well as theirs. Mrs. Jaussi drew attention to the fact that at least 5 other near-by homes had less frontage, even, than 62 ½ feet. She said that she, her husband and Mr. Forbes all recognized the purpose and value of good zoning but felt that in a neighborhood that was virtually fully developed, a variance permitting lesser frontage than required by the zoning code would not

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be detrimental, especially when the precedent had already been established by construction of the other near-by homes as mentioned.

Councilman Erickson said he was very concerned and that this error had later been compounded by the same department to allow other homes to be constructed without sufficient frontage.

There was some general discussion about one existing basement home on the property which was presently being used as a rental unit. Mrs. Jaussi said that if their building plans were allowed to proceed, this basement home would become a basement for their home on which they would build above. Mr. Jaussi appeared briefly to explain that the basement home has been constructed before the area was zoned RP-A.

Councilman Freeman proposed, inasmuch as there is a small area yet to be developed, that a rezoning petition be circulated and an effort be made through that medium to have the entire undeveloped area be rezoned R-1. Councilman Erickson concurred that this would be reasonable approach. Councilman Karst registered objection on the grounds that this would, in effect, be spot zoning by allowing a relatively small area to be rezoned R-1 within a larger area completely zoned R-PA. Karst was reminded that the area in question was the only undeveloped portion within the entire area.

With the thought in mind that the Jaussi's would proceed with a rezoning petition, it was moved by Councilman Wood, seconded by Karst, that this request for a zoning variance be respectfully denied. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Rod Fisher, owner and operator of the Burnt Offering, appeared before the Council. He reported that, for the past two years, he held the number one priority at the State level for an additional liquor license within the City of Idaho Falls, when same would be made available by virtue of population increase. Mr. Fisher said he was aware of certain studies that had been made revealing the fact that this City's population had sufficiently increased over the 1970 census to warrant at least one additional license, based upon one license being permitted for every 1500 of population. He asked for Council authorization that he be permitted to receive a copy of said studies so that he could submit same to the State Liquor Law Enforcement Commission, in hopes that said studies would be sufficient evidence, in the opinion of said Commission to persuade that agency to issue him a retail liquor license. Asked for comment, the City Clerk reported that there had been other known instances throughout the State where the Commission had, without benefit of a special census, relaxed their population requirements and, upon receipt of some manner of evidence, allowed one or more additional licenses to be issued. It was moved by Councilman Karst, seconded by Freeman, that this matter be referred to the City Attorney and the City Clerk in an attempt to properly assist and resolve this problem in favor of Mr. Fisher. Roll call as follows: Ayes, 6; No, none; carried.

Attention is drawn to page 566 in this book of minutes and, more specifically, an appearance before the Council by Mr. Ted Reid asking for a variance at 205 Elm Street, to permit a glass company operation. It will be noted that, for reasons as stated, the request was tabled at that time. Mr. Reid reappeared before the Council for the reason as explained by this memo from the Building Official as presented and read by the City Clerk:

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Building & Zoning
SUBJECT: VARIANCE IN AN R3-A ZONE

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Mr. Ted Reid's request for a variance to open a glass shop at the old Conoco gas station, 205 Elm Street, in an R3-A zone was tabled at the last Council Meeting. He now resubmits the same request with an occupancy change to a powered milk relay station, no retail sales of any kind. This would also entail an office for the business.

Respectfully submitted for your consideration.

s/ Paul Lundblade
Building Official

Accompanying Mr. Reid was Mr. Steve Weller, Operational Director for Challenge Foods. Mr. Weller verified the fact that his company had an interest in Mr. Reid's property as a relay station for dairy products. He said refrigerated trucks would be loaded early in the morning for wholesale delivery and would return about 2:30 in the afternoon. He said renovation expense would not be a major item, although, in view of the commodity handled, the building would be nicely painted and otherwise renovated for purposes of a sanitary operation. Mr. Weller continued by saying there would be a total of three trucks and four employees including the truck drivers. He said there would be ample off-street parking for the trucks and the employees and that the public would not be served from this location.

It was the general consensus of Council opinion that, by no stretch of the imagination could this be considered an operation acceptable in the existing R-3A zone.

In answer to a question by Councilman Hovey, Mr. Weller explained that there would be no truck servicing on the property. Mr. Weller continued by saying that his company would agree to a one year trial lease and so all they are asking was a one year limited variance. Asked for comment, the City Attorney said that, in his opinion, this would be the equivalent to a one year rezoning. Councilman Wood reported that there were those property owners in the immediate area who would protest any other zoning than R-3A. Wood suggested that Mr. Reid, by petition, determine how many property owners within 200 feet would have no objection to a one year limited rezoning. Hovey observed that, when Mr. Reid first appeared before the Council with a prospective lessee other than Challenge Foods the Council's primary concern was whether or not said lessee was aware that the property in question might not be available for a commercial operation beyond the one year period. Hovey said that problem would now appear to be resolved, inasmuch as this prospective lessee was present in the Council Chambers. It was moved by Councilman Karst, seconded by Freeman, that this request for a one year limited variance again be tabled and that Mr. Reid obtain approving signatures from all near-by property owners within 200 feet and then return to the Council with a signed lease for further Council consideration. Roll call as follows: Ayes, 5; No, none; carried. Councilman Wood abstaining.

This memo from the Building Official was presented and read:

City of Idaho Falls
June 27, 1974

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Building & Zoning Division
SUBJECT: VARIANCE FOR MOBILE HOME AS A SALES OFFICE

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Mr. William B. Johnson requests permission to install a 10 ft. by 32 ft. new mobile home on Lots 44 thru 48, Block 6, Capital Hill Addition, in an HC-1 zone at 705 North Holmes Avenue for a period of one year, with option to renew. This mobile home is to be used as a sales office for a used car lot. Ordinance #1115 does not permit any single mobile home on a lot, only in an approved mobile home court or trailer court with a minimum of five (5) or more mobile homes.

Respectfully submitted for your consideration.

s/ Paul Lundblade

Mr. Johnson appeared before the Council to explain that the area in question had already been black topped at a cost of \$3500. Those Councilmen who had viewed the improvement agreed that this had considerably enhanced the appearance of the property. Mr. Johnson continued by further explaining that the mobile home would be located at the rear of the used car lot and would be hooked up to the City sewer. He said the unit that had been selected was designed as an office rather than a residence. Councilman Karst, referring to the foregoing memo, proposed, with general Council concurrence, that before it be considered for formal Council action, the words "with option to renew" be deleted. Reflecting said deletion, then, it was moved by Councilman Wood, seconded by Karst, that this request for a variance be approved for a period of one year. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson proposed, with general Council concurrence, that the mobile home ordinance be made a subject of study in hopes that appropriate amendments could be made to lessen the need for these frequent requests for variances as pertained to mobile homes.

License applications for SAFE AND SANE FIREWORKS, Randy Ames for Hamilton Drug, Wesley Gale for Grand Central, Fum Nukaya for Katz Pharmacy, Clifford Kirkendall for Bowl-ero, Inc., Barbara Heaton for Holiday Market, Cal Garcia for Skaggs Drug, Inc., Ned Sweat for Plaza Lane front parking lot, Klane Anderson for Scotty's Drive In parking lot and Earl's Food Market, Gary Morrison for 470 1st Street, Gary Morrison for 7-11 Store at 1155 9th Street and 7-11 at 547 G. Street, Vaun Larsen for Albertson parking lot on 1st Street, Monty Howell for Monty's Food Kings, (2), Andy Stavros for Midget Market, Ella Marie Tuck for Safeway Store on North Holmes, M. Long for Skaggs; RESTAURANT, Leola Boylan for Sagebrush Lounge; FOOD CONCESSIONS, Chamber of Commerce, 12th Ward Explorer Scouts; ELECTRICAL CONTRACTOR, Ramon Curtis with Curtis Electric; JOURNEYMAN ELECTRICIAN, T. Grant Gallup, Ben Nelson, Robert Wetherbee, Ramon Curtis; APPRENTICE ELECTRICIAN, Mike Gray with Nelson Electric, Sam Gleason with Century Electric; Scott Curtis with Curtis Electric, Dean Halladay with Curtis Electric, Phil Secrist with School Dist. #91; JOURNEYMAN PLUMBER, Mitchell L. Varner, Alton C. Bale; PHOTOGRAPHY, Don Corey with Creative Portraits; PRIVATE PATROLMAN, Danny Petersen; TAXI CAB DRIVER, Peter Thibodeau, Randall Litteneker; BARTENDER, Debra L. Faller, John Biebl, Stuart L. Greene, Richard Whitman, Jesse James Andis, Geri Bailey, Marianna Torneton, Sidney Mathias, Karen Waters, Helen McCormick, Milton Pebbler, Patsy Prasch; BEER, (Transfer only), from Karen Waters to Alan Orchard for Hunkey-Dorey Bar; BEER, (Canned, bottled and draught, to be consumed on the premises), Ted E. Johnson for River City Saloon, were presented. It was moved by Councilman Freeman, seconded by Erickson, that these licenses be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a license application from the Thomas Carnival Shows, to be sponsored by the Country Club Center Merchants Association. According to the information taken from the application, the carnival would be held at the Country Club Shopping Center, August 14 through the 24th, 1974. The City Clerk explained that, in the past, applications of this nature had

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been special Council consideration and, instead of abiding by the antiquated provisions of the code requiring a small license fee for virtually every activity, the Council had permitted a blanket fee for the entire carnival or circus in the amount of \$50.00. The City Clerk noted that this application was requesting the same consideration. It was moved by Councilman Wood, seconded by Freeman, that this application be accepted and the license granted for a fee of \$50.00, subject to final approval by the Board of Health and the Police Chief. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk noted that, in the interests of time, he had published a notice of zoning hearing without formal Council approval, said hearing to be conducted July 11th, 1974. It was moved by Councilman Freeman, seconded by Erickson, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Also, the City Clerk noted that, in the interests of time, he had, without formal Council approval, published a legal notice inviting bids on the 1974 Seal Coating Project. It was moved by Councilman Gesas, seconded by Karst, that this action also be ratified. Roll call as follows: Ayes, 6; No, none; carried.

It was then noted by the City Clerk that the Council had, on June 11th, 1974, taken informal action accepting the low bid of Sherry Builders in the amount of \$160,523 to construct the sewage treatment plant truck garage, subject to final approval by the I.D.E.C.S. and the E.P.A. It was moved by Councilman Gesas, seconded by Karst, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Finally, under matters requiring Council ratification, the Mayor noted that, on June 11th, the Council had informally accepted an offer from Texaco, Inc. to purchase their vacated service station at the corner of Park Avenue and B Street in the amount of \$30,000 and that said premises would be converted to a mini-park and public rest area. It was moved by Councilman Gesas, seconded by Freeman, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk was a City Redemption Tax Deed in favor of Kenneth Colburn, accompanied by this Resolution:

R E S O L U T I O N (Resolution No. 1974-17)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by Deed of the City Treasurer dated the 6th day of November, 1972, recorded as Instrument No. 439897, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 36-38, Inc., Block 9, Highland Park Addition to the City of Idaho Falls, Idaho

WHEREAS, KENNETH B. COLBURN has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW, THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said KENNETH B. COLBURN a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

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PASSED BY THE COUNCIL this 27th day of June, 1974.

APPROVED BY THE MAYOR this 27th day of June, 1974.

s/ S. Eddie Pedersen
Mayor

ATTEST: s/ Roy C. Barnes
City Clerk

It was moved by Councilman Karst, seconded by Freeman, that the Mayor and City Clerk be authorized to sign the Resolution and the Deed. Roll call as follows: Ayes, 6; No, none; carried.

Also presented by the City Clerk was a Termination Rider to Union Pacific Lease No. L & T 17451. By memo from the Electrical Engineer, it was explained that this was an area leased from the railroad and used for pole storage and roadway encroachment but that it had been purchased by the City from the railroad and, therefore, the lease was no longer required. It was moved by Councilman Hovey, seconded by Gesas, that the Mayor and City Clerk be authorized to sign the Lease Termination Rider. Roll call as follows: Ayes, 6; No, none; carried.

This memo, signed jointly by the City Controller and the Personnel Director, was presented:

City of Idaho Falls
June 27, 1974

TO: Mayor S. Eddie Pedersen and City Council
FROM: Personnel Division and Finance Division
SUBJECT: WITHHOLDING OF MEMBERSHIP DUES - IDAHO FALLS MUNICIPAL
EMPLOYEES ASSOCIATION

The Idaho Falls Municipal Employees Association formally requests the withholding of their membership dues each month by payroll deduction.

The withholding of dues for the Employees Association would be the same principal and procedure as is done for other organized City employees.

The request is favorably endorsed by the Personnel and Finance Divisions.

s/ A. Lee Mundell
Personnel Director

s/ John D. Evans
Controller

It was moved by Councilman Karst, seconded by Freeman, that approval be granted for the Payroll Department to withhold dues on participating members of the Idaho Falls Municipal Employees Association. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director came this memo:

City of Idaho Falls
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TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: WELL NO. 13, PHASE I – DRILLING

On June 25, 1974, two bids were received for the drilling of Well No. 13 as follows:

Engineer's Estimate	\$40,912.00
Jack Cushman Drilling and Pump	\$50,460.80
Andrew Well Drilling	\$53,699.30

We have reviewed these bids and are recommending that the Mayor and Council award a contract to the low bidder, Cushman Drilling and Pump of Blackfoot, Idaho, in the amount of \$50,460.80.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Karst, that the Contract for drilling of Well No. 13 be awarded to Jack Cushman Drilling and Pump in the amount as stated. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Public Works Director was forthcoming, as follows:

City of Idaho Falls
June 27, 1974

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: 8" WATER LINE REPLACEMENT – IDAHO AVENUE

On June 25, 1974, two bids were received for the replacement of an 8-inch water main on Idaho Avenue as follows:

Engineer's Estimate	\$29,470.50
R. V. Burggraf Company	\$26,288.20
Hartwell Excavating	\$28,831.00

These bids have been reviewed and we are recommending that the Mayor and Council award a contract to Burggraf Construction Company in the amount of \$26,288.20

Respectfully submitted,
s/Donald F. Lloyd

It was moved by Councilman Gesas, seconded by Karst, that the low bid of R. V. Burggraf Company be accepted for the project and in the amount as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Still, another memo from the Public Works Director was submitted, to-wit:

City of Idaho Falls
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TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: EXTERIOR PAINTING OF THE WATER TANK

Ed's Painting Contractor has requested an extension of time on his contract for the exterior painting of the elevated water tank. The request was made due to the failure to receive delivery of paint. This request has been reviewed and we are recommending that the 21-day extension of time be granted.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Karst, that the time extension as described be permitted for the reason as stated. Roll call as follows; Ayes, 6; No, none; carried.

Finally, from the Public Works Director, this memo was presented and considered:

City of Idaho Falls
June 27, 1974

ATTENTION: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: BROADWAY

On June 25, 1974, the Department of Highways received two bids for the reconstruction of Broadway Street from Yellowstone to Memorial Drive, as follows:

Engineer's Estimate	\$772,987.00
Kennaday Paving Company	\$795,854.03
Burggraf Construction Company	\$821,007.61

The low bidder was 2.96 percent higher than the Engineer's Estimate. We have had an opportunity to review the unit prices of this bidder and discussed the matter with the Public Works Committee. We are recommending that the Council endorse the low bidder and encourage the Highway Department to award a Contract to Kennaday Paving Company as soon as possible for the amount of \$795,854.03

Respectfully submitted:
s/ Don F. Lloyd
Public Works Director

It was moved by Councilman Gesas, seconded by Karst, that the City Council endorse the low bidder of Kennaday Paving Company to the State Highway Department and encourage that agency to award the contract accordingly. Roll call as follows: Ayes, 6; No, none; carried.

By memo from the Building Official, this resolution was introduced:

RESOLUTION (Resolution No. 1974-18)

Facilitating application with the United States of America for participation in the National Flood Insurance Program under the terms of

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the National Flood Insurance Act of 1968 by providing for appropriate land use control measures to reduce flood losses.

WHEREAS, certain areas of the City of Idaho Falls are subject to periodic flooding of Crow Creek and upper and lower Willow Creek, and Sand Creek.

WHEREAS, relief is available in the form of Federally subsidized flood insurance as authorized by the National Flood Insurance Act of 1968; and

WHEREAS, it is the intent of the City of Idaho Falls to require the recognition and evaluation of flood hazards in all official actions relating to land use in the flood plain hazards; and

WHEREAS, this body has legal authority to adopt land use control measures to reduce further flood losses.

NOW THEREFORE, BE IT RESOLVED, that the City Council of the City of Idaho Falls hereby:

1. Assures the Federal Insurance Administration that it will enact as necessary, and maintain in force for those areas having flood hazards, adequate land use and control measures with effective enforcement provisions consistent with the criteria set forth in Section 1910 of the National Flood Insurance Program Regulations; and
2. Vests the City Engineer and Public Works Department, the responsibility, authority, and means to:
 - a. Delineate or assist the Building Official, at his request, in delineating the limits of the areas having special flood hazards on available local maps of sufficient scale to identify the location of said flood prone building sites.
 - b. Provide such information as the Building Official may request concerning uses and occupancy of flood plain area.
 - c. Cooperate with Federal, State, and local agencies and private firms which undertake to study survey map and identify flood plain areas, and cooperate with neighboring communities with respect to management of adjoining flood plain and or mudslide areas in order to prevent aggravation of existing hazards.
 - d. Submit on the anniversary date of the Community's initial eligibility an annual report to the Building Official on the progress made during the past year within the Community in the development and implementation of flood plain and/or mud slide area management measures.
3. Appoints the Building Official to maintain for Public Inspection and to furnish upon request a record of elevations (in relation to mean sea level) of the lowest floor, (including basement) of all new or substantially improved structures

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located in the special flood hazard area. If the lowest floor is below grade on one or more sides, the elevation of the floor immediately above must also be recorded.

4. Agrees to take such other official action as may be reasonably necessary to carry out the objectives of the programs.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 27th day of June, 1974.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

It was moved by Councilman Wood, seconded by Karst, that this resolution be adopted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Also by memo from the Building Official, this resolution was introduced:

R E S O L U T I O N (Resolution No. 1974-19)

Facilitating application with the United States of America for participation in the National Insurance Program under the terms of the National Flood Insurance Act of 1968 by providing for appropriate building permit system to reduce flood losses.

WHEREAS, the City of Idaho Falls, Idaho has adopted and is enforcing the Uniform Building Code, 1973 Edition and the Comprehensive Zoning Ordinance #1115, adopted in 1964, codified and reprinted in April 1970; and

WHEREAS, Section 301 (a) of aforesaid prohibits any person, firm or corporation from erecting, constructing, enlarging, altering, repairing, improving, moving or demolishing any building or structure without first obtaining a separate building permit for each building or structure from the Building Official; and

WHEREAS, the Building Official must examine all plans and specifications for the proposed construction when application is made to him for a building permit.

1. That the Building Official shall review all building permit applications for new construction or substantial improvements to determine whether proposed building sites will be reasonably safe from flooding. If a proposed building site is in a location that has a flood hazard, any proposed new construction or substantial improvement (including prefabricated or mobile homes) must (I) be designed (or modified) and anchored to prevent flotation, collapse or lateral movement of the structure, (II) use construction materials and utility equipment that are resistant to flood damage, and (III), use construction methods and practices that will minimize flood damage; and
2. That the City Engineer shall review subdivision proposals and other proposed new developments to assure that (I) all such proposals are consistent with the need to minimize flood damage (II) all public utilities and facilities, such as

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sewer, gas, electrical, and water systems are located, elevated, and/or otherwise constructed to minimize or eliminate flood damage, and (III) adequate drainage is provided so as to reduce exposure to flood hazard; and

3. That the City Engineer shall require new or replacement water systems and/or sanitary sewage systems to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters, and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 27th day of June, 1974.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

It was moved by Councilman Wood, seconded by Karst, that this resolution be adopted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

A final plat of the Hatch Addition, Division #3 was presented and studied. It was moved by Councilman Wood, seconded by Karst, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Anticipating annexation, an annexation agreement between the City and the developers of the Hatch Addition, Division No. 3 was submitted. It was moved by Councilman Wood, seconded by Karst, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1384

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO (HATCH ADDITION, DIVISION #3)

The foregoing Ordinance was presented in title. It was moved by Councilman Wood, seconded by Karst, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

It was moved by Councilman Wood, seconded by Karst, that the Hatch Addition, Division No. 3 be initially zoned R-1. Roll call as follows: Ayes, 6; No, none; carried.

A final plat of the Eastview Addition, Division No. 4 was then presented. It was moved by Councilman Wood, seconded by Karst, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Anticipating annexation, an annexation agreement between the City and the developer of the Eastview Addition, Division #4 was presented. It was moved by Councilman Wood, seconded by

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Karst, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1385

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO (EASTVIEW ADDITION, DIVISION #4)

The foregoing Ordinance was presented in title. It was moved by Councilman Wood, seconded by Karst, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

It was moved by Councilman Wood, seconded by Karst, that the Eastview Addition, Division No. 4 be initially zoned R-1. Roll call as follows: Ayes, 6; No, none; carried.

Finally, a final plat of the Spencer Addition and adjacent property, including the City garage and other City owned lands, was submitted. It was moved by Councilman Wood, seconded by Karst, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Anticipating annexation, an annexation agreement between the City and the developer of the Spencer Addition was presented. However, Councilman Karst drew attention to the fact that the City was negotiating with Lyman Hemmert for an exchange of properties because of the City's interest in eventually extending Hemmert Drive and that the City owned a portion of this exchange was included in this proposed annexation. Therefore, it was moved by Councilman Karst, seconded by Wood, that the City Attorney be authorized and directed to prepare an appropriate exchange agreement between the City and Mr. Hemmert and that said exchange be reflected in the annexation agreement. Roll call as follows: Ayes, 6; No, none; carried.

It was then moved by Councilman Wood, seconded by Karst, that the annexation agreement be accepted and the Mayor and City Clerk be authorized to sign, subject to final approval by the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1386

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO (SPENCER ADDITION AND ADJOINING PROPERTY)

The foregoing Ordinance was presented in title. It was moved by Councilman Wood, seconded by Karst, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none;

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carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

It was moved by Councilman Wood, seconded by Karst, that this newly annexed area be initially zone I & M1. Roll call as follows: Ayes, 6; No, none; carried.

With reference to all three of the foregoing annexations, it was moved Councilman Wood, seconded by Karst, that the Building Official be directed to incorporate, in each instance, the initial zoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk was a one year extension to an FAA lease, Contract No. DOT-FA74NW-0347, covering land in the center in the airport occupied, rent free, by the Terminal Omnirange Air Navigational Range Aid and operated by the FAA. It was moved by Councilman Wood, seconded by Gesas, that this lease extension be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Next to be presented from the office of the Director of Aviation was a five year lease extension from the American Locker Company, concessionaire for rental lockers in the airport terminal building. It was moved by Councilman Wood, seconded by Gesas, that this lease extension be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

By memo from the Director of Aviation, it was explained that Lynch Air Tankers is now the local flight contractor to the Bureau of Land Management for fire repression services. Submitted was an airport use agreement and lease in their favor, expiring October 30th, 1974, similar to the previous agreement with the predecessor contractor. It was moved by Councilman Wood, seconded by Gesas, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Director of Aviation, a contract between the City and Edward A. Nurse was presented, covering engineering services in connection with the upgrading and improvement to the north end of Runway 3-21 and adjacent main taxiway; adding to the apron area to provide the strength requirements necessary to accommodate a dual-gear Boeing B-727 aircraft; improving the north end of runway 16-34 as required to accommodate the General Aviation Air Traffic; and, finally, rehabilitation or improvement of certain access roads. It was moved by Councilman Wood, seconded by Gesas, that this contract be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

By memo, the Police Chief presented revised rules and regulations for the Police Department. It was moved by Councilman Wood, seconded by Freeman, that these revised rules and regulations be accepted and approved. Roll call as follows: Ayes, 6; No, none; carried.

At the recommendation of the Police Chief, the Mayor appointed these high school students as members of the Traffic Safety Committee: Donald R. Rhode and Wade Nelson. It was moved by Councilman Freeman, seconded by Erickson, that these appointments be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Hovey, that the meeting adjourn at 9:20 P.M., carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor
