

**MAY 23, 1974**

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The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, May 23, 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 Norris Gesas, Jim Freeman, Mel Erickson, Gil Karst, Paul Hovey. Absent: Councilman Ralph Wood. Also present: Roy C. Barnes, City Clerk; Don Lloyd, Public Works Director; Rod Gilchrist, City Planner; Lorna Coughlin, City Treasurer; Robert Pollock, Police Chief; Steve Harrison, Electrical Engineer.

Minutes of the last recessed regular meeting, held May 9<sup>th</sup>, 1974, were read and approved.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing for the purpose of determining whether or not a conditional use permit should be issued the Idaho Falls Community Hospital, formerly known as the Sacred Heart Hospital, for the expansion, construction to reconstruction of facilities at that hospital site. It was noted that this hearing was required pursuant to the provisions of Section 4-28 of the Comprehensive Zoning Code, Ordinance No. 1115, as amended. In the absence of Councilman Wood, Chairman of the Building and Zoning Council Committee, the Mayor invited Councilman Gesas to conduct this hearing.

Gesas asked City Planner, Rod Gilchrist, to present a general background of planning and zoning actions as pertained to the hospital in question. It was learned that, on June 7<sup>th</sup>, 1965, the Planning Commission received a rezoning request from RP and R-1 to R3-A to permit certain expansion including an addition to the existing building and also, construction of a medical clinic. The Planning Commission received protests at that time from near-by residents, particularly on the request for rezoning and also construction of a clinic. Action was deferred and on July 13, 1965, Attorney Thomas Whyte, representing the hospital, appeared before the Planning Commission with a revised request. Inasmuch as the clinic proposal had been promoted by certain doctors, rather than the hospital, Whyte requested that the Planning Commission consider rezoning from R-P to R-1 which would at least permit expansion of the hospital. He said that plans for the clinic could be considered at a later date. As a result, the Planning Commission went on record as recommending to the City Council that the hospital area be rezoned from R-P and R-1 to RPA to facilitate the granting of a conditional use permit.

After several postponements, the City Council, on January 5, 1967 considered that rezoning request and denied same but allowed a conditional use permit to be granted which permitted the hospital expansion.

Mr. Rance Bare, representing the firm of Ellsworth Engineering & Associates was then called upon to explain the hospital's present expansion plans, as they pertain to the parking proposal. It was learned that two parking lots were desired; the first, with access from Boulevard, would provide 55 parking spaces; the second, to be constructed sometime within the predictable future would provide for 25 spaces, would be only for use of the hospital staff and would be accessible only from the emergency entrances or the rear. Bare said there would be limited landscaping.

Gesas then invited Mr. Jim Forester, Hospital Administrator, to appear before the Council. Mr. Forester first stressed the fact that this hospital is community oriented and its Board of Directors are all members of the local community. He said it is a non-profit organization and that there is no outside control by any other organization; neither are their stockholders that might otherwise attempt to dictate policy. Mr. Forester explained that this request for a conditional use permit incorporated two development projects; first, the parking lots as explained and described by Mr. Bare and, second, a doctor's clinic which would be a separate structure not attached to the existing hospital except by an underground subway. He said the clinic would be constructed some time in the future at a time yet to be determined. Forester continued by saying that this expansion is needed because the hospital is experiencing substantial growth, illustrated by the fact that there is an ever-increasing number of doctors on the staff, more and more diseases being treated, necessitating, in turn, more and more specialized equipment. He said it is now to the point that some potential patients by-pass Idaho Falls in favor of other near-by hospitals if prompt attention is

a factor. He said both doctors and visitors have difficulty, at times, finding parking places without resorting to the street. Forester continued by saying that this City is not blessed with any large clinic; just professional buildings for specialty groups, scattered throughout the area. He said that, because the hospital often deals with life or death situations, time is often of the essence and the obvious solution is to have one or more doctors readily available. He said that one of the success factors of a clinic is close proximity to a hospital as this tends to provide maximum production from the staff. He said a near-by clinic would have other advantages including ancillary therapeutic services, integration of the physicians with other employees and stabilization at the patient level. Forester noted that there had been no fee increase for 3 ½ years, that, in the opinion of the Board of Directors, this was an enviable record, in view of highest costs, generally, and the primary objective of the Board in pursuing this expansion program was so that health services within this community would not suffer. He said that, in other communities, it is not a new innovation to find doctors' offices within the hospital complex. He said a clinic would improve the quality and the safety of all hospital services and should enhance, rather than detract from, the adjacent residential property values. He said that, from a standpoint of safety, some neighbors have indicated that they are pleased to live near a hospital.

Relative to the parking lot, Forester said it was the Board's intention to so construct that it would be a credit to the area and that every effort would be expended to minimize the nuisance factor. He said they would even be willing to raise the existing wall, if necessary.

In answer to a question by Councilman Gesas, Mr. Forester said that, in the event this request for a conditional use permit were denied, all growth prospects would be shut off and services could no longer be expanded, resulting in a down hill operational trend.

Mr. Doug Nelson from the attorney firm of Sharp, Anderson, and Bush appeared before the Council, representing the near-by neighbors. He said his clients strongly recommend that this request for a conditional use permit be denied. He said he represented approximately 50 concerned property owners living in the highest quality restrictive residential zone provided by the zoning ordinance, in well kept homes ranging in price from \$40,000 to \$100,000. Referring to a statement by Mr. Forester pertaining to a \$160,000 investment in doctor's offices, Mr. Nelson said the cumulative investment of his clients would total many times that figure. Mr. Nelson said that, although it was not the intent of his clients to thwart progress, the hospital complex in question must, in fairness to all concerned parties, be limited in growth as prescribed by law, noting that the present facility constituted a non-conforming use and was so declared as early as June, 1965. Along this same line, Nelson noted that a previous administration had denied one rezoning petition. He said that to permit a clinic as proposed would be allowing a structure of R-3A statute within an R-PA zone.

Nelson then drew attention to a letter from City Attorney Arthur Smith to the Planning Commission, dated June 30<sup>th</sup>, 1965, and appearing in the Planning Commission minutes at their July 13<sup>th</sup> meeting, 1965. He said the letter was in the form of a legal opinion and contained a paragraph saying, in effect, that in his opinion, a conditional use permit should not be granted for a hospital facility within an RP or R-1 zone because the ordinance did not so provide and recommend, instead that the area be rezoned RPA. Nelson continued to say, however, that at a later date, Smith had modified his opinion because of the fact that the hospital served a semi-public use and also recommended that the ordinance be amended to eliminate ambiguities in this regard. Nelson said his clients would not object to a clinic being constructed within the near vicinity. He said a recent survey revealed the fact that it was the doctors, not the visitors, that posed the parking problem as evidenced by the fact that there is always ample parking spaces during the visiting hours and that all parking spaces are being utilized when the doctors are on duty. He said a clinic would further accentuate this problem. Nelson continued by saying that a comprehensive zoning ordinance should be designed for the good and the protection of everyone and, in this case, residents within

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the Home Ranch and the Hughes Additions purchased their property with every confidence that their property values in such an exclusive zone would forever be protected. Nelson concluded his remarks by suggesting a feasibility study to determine such factors as need, alternate locations, etc. and, on the later issue, the large vacant area west of Boulevard should be included in said feasibility study.

Mr. Gilbert St. Clair, local attorney representing the hospital, then appeared before the Council. He said that, in his opinion, most citizens endorsed orderly progress and hospital expansion should certainly fall in that category. He drew to the attention of the Council the fact that, when the zoning ordinance was first passed, the hospital area was not even zoned; the adjacent exclusive residential area did not exist; and most of the expensive homes around the hospital were constructed with full knowledge of the close proximity to the hospital. He said that hospital appearance and activity is of such a nature that its location should not, in itself, be detrimental to adjacent residential areas and sited at least one example of a residence close to a hospital that substantially increased in value by virtue of its close proximity to the hospital. St. Clair concluded his remarks by saying that the hospital was asking for a conditional use permit, not rezoning and that, according to the provisions of the zoning ordinance, there was no zoning violation.

Dr. John Hatch, local physician, appeared briefly before the Council reminding the Council that he felt qualified to speak, not only because he had practiced medicine locally for 35 years but also because of the fact that he had served several years as a member of the County Zoning Board. He said that hospital expansion is necessary and healthy for any community. He said that he would endorse a clinic located on City owned land west of Boulevard, connected to the existing hospital by subway, if necessary. He said a long term lease could be arranged and that precedent for this procedure had already been set when the City leased park land to the L.D.S. Hospital for parking purposes.

Dr. Robert Hahn, local physician, appeared before the Council to say that he was one of the instigators of a doctor's clinic ten years ago. He said his group firmly believed that a clinic would beneficially serve and be healthy for the community and their belief was so strong that they were prepared, at one time, to go to court, if necessary, in an attempt to have the zoning ordinance amended or to take whatever steps necessary so that they would be permitted to proceed. He said that hospital facilities are unexcelled for a City this size but expansion is necessary to preserve those facilities and that said preservation could best be effected by a clinic within the immediate vicinity of the hospital.

Referring, again, to the health of the community, Dr. Hahn reminded those present that two of the prerequisites that are always determined prior to industry selecting a new location are schools and health facilities. Also, concluded Dr. Hahn, it is not good planning at the local level, for one hospital, by its permitted growth, to over power another similar facility.

Mrs. W. J. Tupper, 2680 Fieldstream Lane, appeared before the Council to protest the issuance of a conditional use permit, particularly that portion that would allow construction of a clinic. She said this would further add to the parking problem. She said that construction of a clinic would be in conflict with the zoning ordinance and therefore, should not be permitted.

Mr. David Doncsecz, 156 Hartert, appeared to say that when he and others purchased their residential property, it was done with complete confidence that their property values would at all times be protected under the zoning code. He said even the extended parking lot would depreciate near-by residential property, giving the appearance of paved back yards, so to speak. Referring to Mr. St. Clair's illustration about the piece of property that actually appreciated in value by virtue of its proximity to a hospital, Mr. Doncsecz said this was an isolated case and all Home Ranch residents could not expect similar treatment.

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Dr. Jim Baltzell, 2830 W. Morningside Drive, appeared briefly to concur with the remarks of Mr. Forester, relative to the advantages that accrue when doctors can be close to their patients. Also, he said that a clinic would provide informal association between doctors, which is also important.

Mr. Robert Livingston, 231 Hartert Drive, appeared briefly to say that in his opinion, if this expansion were permitted, it would only be the beginning, and if this and future expansion were allowed, he could conceive, eventually, a twenty five story edifice which, needless to say, would be intolerable from the standpoint of near-by residents.

Mr. Arthur Ball, 129 Hartert Drive, then appeared to say that, even though he personally, was not against progress, he opposed the clinic concept, as proposed and that an operation of that size and nature should be located in an R-3A zone. He said that, if the parking lot is permitted, near-by residents would be entitled to a 30 foot setback which is nothing more than good planning.

Mr. Larry Larsen, 141 Hartert Drive, appeared to endorse the Dr. Hatch proposal, relative to a clinic west of Boulevard or some other compatible location. He said it would probably prove to be an advantage where the space problem would not be so limited without infringing on the rights of others.

Mrs. Julie Pullen, 247 Teeples, appeared before the Council. Mrs. Pullen, wife of Dr. M.W. Pullen, Director of the Eastern Idaho Health Center, spoke in favor of the proposed clinic. She noted that scattered medical service, such as this City now offers, has proven not to be conducive to efficient medical attention. She noted that the hospital serves the entire area and the logical point of beginning with any given patient is the hospital. In many instances, the patient, from there, must be referred to some other location which utilizes valuable time and in some instances, it is too late. She said a clinic within close proximity to the hospital, a common practice in other areas, would correct this problem.

Mr. Richard Miller, 2606 Fieldstream Lane, appeared briefly to say that he had no objection to the existing hospital facility but that there is not adequate room for expansion; as proposed, without imposing on the rights of others.

Mrs. W.E. Durkee, 210 E 25<sup>th</sup> Street, then appeared to say that, in her opinion, distance in this relatively small City is not that much a factor or a problem. She said it would appear that the clinic was conceived and would serve more as an economic advantage to the affected doctors, rather than a service advantage to the community.

Mr. Jim McGeachin, 2670 Fieldstream Lane, appeared to say that his recent study had revealed that 2.85 acres would be needed to provide adequate parking for the clinic. He said that, in his opinion, it would not be in the best interests of the community for a hospital to switch, as their primary objective, from hospital to clinic services.

Mr. Lawrence Kemmet, 201 Hartert Drive, appeared briefly to say that he could see no justification for a clinic or even, perhaps, 35 additional doctors.

Dr. Hahn reappeared before the Council briefly to say that, in response to the Dr. Hatch proposal, a subway across Boulevard would be financially prohibitive. He said that it was difficult for him to conceive of any interested citizen approving the hospital as an existing service facility and still taking the attitude that it may stay but it may not grow and still expect it to serve the ever increasing needs. Finally, Dr. Hahn said that the contingency relationship between the doctors and the hospital was becoming more and more necessary for maximum efficiency.

Mr. Forester reappeared briefly before the Council. At one time during this hearing, it was noted and acknowledged that the hospital owned a relatively small parcel of property west of Boulevard. Mr. Forester explained that it was ultimately an objective of the Board of Directors to convert said parcel into a parking lot for hospital employees, thus, relieving, to that extent, the parking problem immediately around the hospital. In response to one or more comments to the effect that, perhaps, no additional doctors were needed, Mr. Forester said that capable doctors

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were the to a successful hospital operation and, without doctors, or even with a scarcity if doctors, a hospital ceases to function. He said a clinic would provide stability because, with that proximity offered by a clinic, the work-load of a doctor tends to stabilize. Finally, Mr. Forester said that, based upon national statistics recommending 2 ½ parking spaces per doctor's office, there would be ample parking facilities for the clinic providing the expanded parking lot, as requested, was permitted.

In the absence of further comment from the floor, Councilman Gesas invited reactions from the Councilmen. Councilman Hovey asked if there were firm and definite building plans and drawings for the clinic. Mr. Forester answered in the negative. He said all that was available, to date, was not yet known. He said present occupancy averaged 705 but future needs had not been determined. In answer to another question by Hovey, Forester said the Board of Directors had not yet considered or had the opportunity to consider the feasibility or the advisability of the suggestions made this night pertaining to the 30 foot setback for the parking lot or the clinic location west of Broadway. In answer to a final question by Hovey about the possibility of a 30 to 60 day postponement before a Council decision was made, pending the results of a feasibility study, Forester said a few days delay would not be damaging but the Board would appreciate a decision as soon as possible in the interest of good planning. Hovey recommended a postponement for the reason as stated and that, in the interim period, all affected and interested attorneys and the City Planner confer with the objective of arriving at a specific development program, taking into consideration all suggestions and alternates proposed this night.

Councilman Erickson said this hearing had been impressive and constructive and many valid points had been brought forth. So many, in fact, that he felt the over all issue would require more study. Because of that, plus the fact that the City Attorney was absent from this hearing, Erickson said he was not prepared to cast his vote this night.

Councilman Freeman concurred with Erickson. He said that, because of the new elements and alternates proposed this night, he was not prepared to render his decision by voting.

Councilman Karst said that, because he was faced with a conflict of interest, he was in no position to render an opinion nor to vote on this issue. Therefore, it was moved by Councilman Gesas, seconded by Erickson, that this hearing be recessed and continued and reconvened at the next regular Council Meeting to be held June 6<sup>th</sup>, 1974. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor then declared a brief recess so that those not interested in remaining for the balance of the meeting could be excused.

Upon reconvening, the Mayor announced that this was the time and the place for a public hearing, as advertised, to consider a petition for the rezoning of Lots 1, 2, 3, and 4, from HC-1 to R-3 for the purpose of constructing an apartment complex.

At the invitation of the Mayor it was learned through City Planner Gilchrist that to prepare for this proposed development, it was necessary to amend the plat and that, due to certain computation problems and the fact that the improvement drawings had not been finalized, the plat was not ready for presentation this night. Gilchrist said that, in view of these circumstances, the best the developer could hope for at this time would be for the rezoning to be granted, subject to final approval of the plat. When it was learned that this area was immediately west of the Motel 6, Councilman Hovey questioned the development on the grounds that it would create a traffic hazard on Broadway. He asked, instead, about the possibility of an access road on Mountain View. It was explained that this development would, in fact, improve the traffic problem, inasmuch as it would be deleting several access routes in favor of only one. There were none who appeared for purposes of protesting this rezoning request. It was moved by Councilman Karst, seconded by Gesas, that this rezoning be granted, subject to final approval of the first amended plat and, when approved,

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the Building Official be directed to incorporate said change of zone on the official zoning map, located in his office. Roll call as follows: Ayes, 5; No, none; carried.

License applications for JOURNEYMAN ELECTRICIAN, Billy Ellibee, Ben Lindsay; APPRENTICE ELECTRICIAN, Keith Olsen with Jewell Electric Co.; CLASS D CONTRACTOR, WARM AIR, Floyd Audette for Wheeler Sheet Metal; CLASS D JOURNEYMAN, WARM AIR HEATING, Eugene Cooper, Floyd Audette; JOURNEYMAN PLUMBER, Darrel W. Olson; BARTENDER, Alfred B. Frolick, Ray Wilkerson, Sheila M. Hanner, Michael Barker, Lucille LaVerne Whitman, Janet McCormick, Rose Mary McIntyre; TAXI CAB DRIVERS, Richard D. Graham; PRIVATE PATROLMAN, Gerald K. Steed, were presented. It was moved by Councilman Erickson, seconded by Hovey, that these licensed be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk drew attention to the fact that the City Council had recently, on an informal basis, authorized the Mayor and City Clerk on behalf of the City of Idaho Falls, to sign the Urban D. system map of the Idaho Falls area. It was moved by Councilman Erickson, seconded by Gesas, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk presented a City redemption tax deed in favor of Nora B. Brown Dickey, accompanied by this resolution:

**RESOLUTION (Resolution No. 1974-15)**

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 6<sup>th</sup> day of November, 1972, recorded as Instrument No. 439901, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 36, and 37, Block 3, Dwight's Addition to the City of Idaho Falls, Idaho, as per recorded plat thereof.

WHEREAS, NORA B. BROWN DICKEY, 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 Nora B. Brown Dickey a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 23<sup>rd</sup> day of May, 1974.

APPROVED BY THE MAYOR this 23<sup>rd</sup> day of May, 1974.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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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, 5; No, none; carried.

From the Purchasing Department came this memo:

City of Idaho Falls  
May 23, 1974

3 Ton Dump Truck  
Front-End Loader

Honorable Mayor and Councilmembers:

The Purchasing Department requests approval to advertise for bids for one 3 ton dump truck for the Water Department and one front end loader for the Sewer Department.

This recommendation subject to your approval.

s/ W. J. Skow  
Purchasing Department

It was moved by Councilman Erickson, seconded by Hovey, that authorization be granted to advertise for bids on the equipment as stated. Roll call as follows: Ayes, 5; No, none; carried.

Another memo from the Purchasing Department was submitted, to-wit:

City of Idaho Falls  
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Honorable Mayor and Councilmembers:

Tabulation of bids for 3 outdoor oil circuit breakers is attached.

Because the bid price is approximately 40% higher than the anticipated cost of the equipment, it is the recommendation of the Electric Light Division to purchase only two of the three units bid.

The Electric Division recommends accepting the bid of Graybar Electric Company, Inc. of Salt Lake City to provide one breaker (Item 1) at a cost of \$8,602.00 and one breaker (Item 2) at a cost of \$8,046.85 for a lump sum of \$16,648.85.

It is the recommendation of the Electric Light Division and the Purchasing Department that the above bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow  
Purchasing Department

It was moved by Councilman Hovey, seconded by Gesas, that the bid of Graybar Electric be accepted for the two circuit breakers as described. Roll call as follows: Ayes, 5; No, none; carried.

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Finally, from the Purchasing Department, this memo was submitted:

City of Idaho Falls  
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Vehicles

Honorable Mayor and Councilmembers:

Tabulation of bids for 1974 vehicles is attached.

Evaluation of bids received show as follows:

Ellsworth Brothers submitting the bid for the following vehicles:

Golf Course	½ ton pickup	\$3423.00 with trade-in
Water Department	½ ton pickup	3523.00 without trade-in
Electric Light Division	¾ ton pickup	3299.00 with trade-in.
Mayor	4 door sedan	3633.00 with trade-in and air conditioning
Airport	½ ton four wheel drive pickup	3988.00 with trade-in.

Snake River Equipment submitting the bid for the following vehicles:

Police	½ ton pickup	2416.12 with trade-in
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Smith Chevrolet Co. submitting the bid for the following vehicles:

Engineering	hatchback type 2 door sedan	3111.51 without trade-in
Parks Department	¾ ton pickup	3623.65 without trade-in
Fire Department	½ ton pickup	3436.15 without trade-in

It is the recommendation of the Purchasing Department that the above bids be accepted.

This recommendation subject to your approval.

s/ W. J. Skow  
Purchasing Agent

It was moved by Councilman Erickson, seconded by Hovey, that bids be accepted on all vehicles as listed and described. Roll call as follows: Ayes, 5; No, none; carried.

From the Building Official, this memo was presented:

MEMORANDUM

TO: Honorable Mayor and Council  
FROM: Paul Lundblade  
SUBJECT: VARIANCE IN AN RPA ZONE

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Mr. and Mrs. Jaussi request a variance to construct two dwellings on lots 36-37-38-39-40, and the north 5 feet of Lot 41, Block 72 of the Highland Park Addition in an RPA zone. This totals 130 feet for both sites, leaving 65 feet frontage for each site. Ordinance #1115 requires an 80 foot frontage for each building site.

This office would recommend denial of this appeal simply because, if approved, we will be plagued with similar requests and will have actually lost our RPA zone the Planning Commission and City Council placed on the property some years back. See attached plot plan.

Respectfully submitted for your consideration.

s/ Paul Lundblade  
Building Official

It was moved by Councilman Karst, seconded by Gesas, that the recommendation of the Building Official be upheld and this request for a variance be denied for the reason as stated. Roll call as follows: Ayes, 5; No, none; carried.

Another memo from the Building Official was submitted, as follows:

May 21, 1974

MEMORANDUM

TO: Honorable Mayor and Council  
FROM: Paul Lundblade  
SUBJECT: VARIANCE FOR NON-CONFORMANCE USE

The Metcalf Anderson firm purchased the old White Star Drive-In Laundry building at 495 Second Street, situated on Lots 41-42-43-44, Block 1, Crows Addition, in an R-3 zone. This has been a non-conforming use since the adoption of Ordinance #1115 in 1964. They wish to remodel the interior for two offices, with no increase in floor area, however, this is also a non-conforming use in an R-3 zone. Ordinance #1115, Section 3-1-G reads as follows:

A non-conforming use of a building or lot shall not be changed to another non-conforming use. Any change of use whatsoever must be to a conforming use.

This office would recommend granting this variance as we feel the new occupancy would be more desirable, less of a traffic hazard and a more compatible occupancy than the previous one.

As a suggestion, the variance could be granted subject to rezoning the property to an R-3A zone within a specified time. This would place them in conformance with this ordinance, and would also permit expansion of the building if they so desire in the future.

Respectfully submitted for your consideration.

s/ Paul Lundblade  
Building Official

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It was moved by Councilman Karst, seconded by Freeman, that this request for a variance for continued non-conforming use be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

With reference to the foregoing, it was moved by Councilman Karst, seconded by Gesas, that this location at 495 Second Street be referred to the Planning Commission so that rezoning, as recommended, might be considered by the agency. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor appointed Captain Armond Robison as a member of the Traffic Safety Committee to replace Captain Stan Ward, recently retired. It was moved by Councilman Freeman, seconded by Erickson, that this appointment be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

Police Chief Pollock appeared before the Council and requested authorization for the Fire and Police Departments, jointly, to enter into an agreement with the Mountain Bell Company in the 911 emergency service, as previously presented and explained, upon receipt of a written communication from the State Police agreeing to participate in the amount of \$13.50, monthly and also, the Bonneville County Sheriff agreeing to participate in a monthly charge of \$11.50. It was further explained by Pollock that the total monthly charge for said service would be in the amount of \$185.00, billed to the City, and that the City would, in turn, bill those two agencies in the amounts as stated. Pollock continued by recommending that, if either one or both of said agencies elected not to participate, the City, in behalf of the Fire and Police Departments, would proceed to contract for the 911 emergency service. It was moved by Councilman Freeman, seconded by Gesas, that this entire recommendation be approved as stated and the telephone company be so advised. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Karst, that the meeting adjourn at 9:55 P.M., carried.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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