

MAY 10, 1973

The City Council of the City of Idaho Falls met in a recessed regular meeting, Thursday, May 10, 1973, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen; Councilmen Jack Wood, Jr., Gil Karst, Paul Hovey, Norris Gesas, Jim Freeman, Mel Erickson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; John Evans, City Controller; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Don Lloyd, Public Works Director; Steve Harrison, Electrical Engineer; Rod Gilchrist, BCOG Director.

Minutes of the last recessed regular meeting, held April 26th, 1973, were read and approved.

The Mayor announced that this was the time and the place, as legally advertised, for a public hearing to consider four re-zoning requests or petitions. First to be reviewed was the Jossie Hughes property at 190 Dale Drive as explained by this memo from BCOG Director Gilchrist:

Bonn. Council of Gov.
P O Box 351
Idaho Falls, Idaho
May 10, 1973

WRG-57-72

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: INITIAL ZONING – JOSSIE HUGHES PROPERTY LOCATED AT 190 DALE DRIVE

The above described property was annexed to the City of Idaho Falls some time ago. The property in question included a small trailer court which was being developed in the County.

At the time of annexation, through an oversight, the property was annexed but was not zoned. The Planning Commission had recommended R-3A zoning for the property and established the trailer court as a nonconforming use. The City Council, at their regular meeting concurred with this recommendation, but no official action was taken relative to zoning.

This Department recommends the R-3A zoning be established on the above described property.

s/ Rod Gilchrist

It was noted that the reason for the oversight, as mentioned in the foregoing memo, was because this property was only conditionally annexed May 13, 1971, the condition being that the property owner provide certain screening by shrubbery or fencing. The property owner did not comply with this condition to the satisfaction of the Council immediately and so it was not until September 23, 1971, that the annexation ordinance in question was actually signed by the Mayor and published, this becoming in full force and effective as of that date.

Mr. Joe Braun, 350 Dale Drive, appeared before the Council representing himself and other near-by Dale Drive residents, objecting to the recommended R-3A zoning for the area in question on the grounds that every effort was being made to upgrade, rather than downgrade, the entire Dale Drive area and that this zoning would not be consistent with this upgrading effort. Mr. Braun proposed, instead, that the Jossie Hughes property be zoned R-2 and that this could be done with no hardship to the property. He said R-2 would serve as an adequate buffer. In answer to a

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question by Councilman Wood, City Attorney Smith said it would be unwise to zone this property into any other zoning classification than R-3A this night, inasmuch as this had been the Planning Commission recommendation, plus the fact that it would have been done without the knowledge of the property owner. Wood said he had no objection to an R-2 zone but, in view of this opinion from the City Attorney, he said he saw no alternative but to refer the matter back to the Planning Commission for further study, Gilchrist appeared briefly to note that this would take a minimum of six weeks considering the fact that it would require re-advertising for a public hearing. Mr. Braun said that he and his neighbors would be willing to risk the delay, in view of the fact that the property, to date, although annexed, is completely un-zoned. It was moved by Councilman Wood, seconded by Karst, that this matter be referred back to the Planning Commission for further study and reconsideration. Roll call as follows: Ayes, 6; No, none; carried.

Next to be considered was Rose Nielsen, No. 4. A rezoning proposal from R-1 to RPA had been initiated by the Planning Commission as more fully explained by this memo:

Bonn. Council of Gov.
P O Box 351
Idaho Falls, Idaho
May 10, 1973

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REZONING – ROSE NIELSEN NO. 4 (R-1 TO RP-A)

This petition was initiated by the City Planning Commission. The development of Division No. 4 has been done according to RP-A standards. The recent approval of Division No. 5 adjacent to this division included RP-A zoning.

The Planning Commission felt that upgrading the zoning to correspond with the development in the area would benefit the property owners. The Planning Commission, at their regular meeting of April 10th recommended approval of the rezoning. The property owners in the area have been contacted and no protests have been reviewed.

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

s/ Rod Gilchrist

There were no protests. It was moved by Councilman Wood, seconded by Karst, that this area be rezoned from R-1 to RPA. Roll call as follows: Ayes, 6; No, none; carried.

The third rezoning request, by petition, was explained by this memo:

Bonn. Council of Gov.
P O Box 351
Idaho Falls, Idaho
May 10, 1973

MEMORANDUM

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TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: PETITION TO REZONE – CAPITOL HILL ADDITION, LOTS 1 – 24, BLOCK 21
(R-3A TO GC-1)

Attached is a copy of a petition to rezone the above described property located on the south side of Cleveland, between Emerson and Higbee. The property described represents one-half of a block presently zoned R-3A. The property to the north and to the west is now zoned GC-1. The petitioners have stated the purpose of the rezoning is to establish a trailer park.

The Planning Commission, at their regular meeting of April 10th, 1973 recommended approval of the rezoning. It is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

Councilman Wood asked BCOG Director Gilchrist if this constituted spot zoning. Gilchrist answered in the negative, pointing out that the area in question was not in the center of the R-3A zone but, rather, on the periphery. Wood then asked if there were protests at the Planning Commission hearing. Gilchrist said there were a few but, when explained, these were withdrawn. There were no protests. It was moved by Councilman Wood, seconded by Karst, that the Planning Commission recommendation be upheld and the rezoning request be approved. Roll call as follows: Ayes, 6; No, none; carried.

Finally, the Lillian M. Gustafson rezoning petition was presented, asking for the rezoning from R-1 to R-3A of Lots 25 and 26, Block 1 Division No. 3, Gustafson Park Addition. This was accompanied by a request for approval of a final plat and annexation of the Gustafson Park Addition, Division No. 4 as more fully explained in this memo:

Bonn. Council of Gov.
P O Box 351
Idaho Falls, Idaho
May 10, 1973

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: GUSTAFSON PARK ADDITION – REZONING AND FINAL PLAT

Attached is a copy of a rezoning petition for Lots 25 and 26, Block 1, Division No. 3 requesting rezoning from R-1 to R-3A. Also attached is a final plat of Gustafson Park Addition, Division No. 4, requesting annexation and initial zoning of R-2. These two requests involve all of the vacant property on the north side of Sunnyside Road, between Rollandet on the west and the canal on the east. The property at the northeast corner of Rollandet and Sunnyside is zoned R-3 and is occupied by a four-plex.

The Planning Commission, at their regular meeting April 10th, conducted a hearing relative to this request. At that time, the petitioner stated the purpose of the request was to permit construction of one-story, four-unit condominiums. Many protests were recorded by adjacent property owners.

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After much discussion, the Planning Commission, by a vote of five (5) to two (2), with one abstention, recommended approval of the requests. This matter is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

The petitioner, Lillian Gustafson, appeared before the Council to explain her justification for requesting this rezoning and also the requested R-2 initial zoning of Division No. 4, if annexed. She said that, since Sunnyside Road had become virtually an arterial street, traffic has become of such major proportions that it is impossible to sell the properties in question to those who would develop high quality single family dwellings. Therefore, she continued, contemplated construction would be limited to condominiums with restrictive covenants to fit in with the décor of existing near-by single family dwelling development. She said her greatest concern was to so develop this area so as not to be detrimental to the adjacent developed area. She reminded the Council and others present in the Council Chambers that, for years, she had permitted this land to be used by others as a horse pasture and also, in some instances, a vegetable garden.

Mr. Fred Hahn, 330 West Sunnyside Road, appeared before the Council representing himself, Mr. and Mrs. Keith Ker, 310 West Sunnyside and Reno Macron, 3250 South Boulevard, to protest this requested rezoning on the grounds that it would devalue adjacent residential property. Hahn also protested the requested initial R-2 zoning of the area on which annexation had been requested. He said once so zoned, it would be legally impossible to prevent four-plexes from being constructed by Miss Gustafson or some future land owner. Hahn said he was primarily concerned about the future development, and, thus, the zoning and/or rezoning of the entire area adjacent to Sunnyside Road. He noted that there has been spotted development of a good many expensive homes on this street which was worthy of proper planning so that the future investment in said homes could be protected.

Mr. F.H. (Andy) Anderson, 415 Gustafson Drive, appeared to say that although there was nothing personal about his appearance, he wished to protest this zoning and annexation request on the grounds that said rezoning would tend to devalue surrounding residential areas.

Mr. David Benton, local Engineer, appeared before the Council in defense of Miss Gustafson. He reminded the Council that the lots in question are comparatively shallow and do not lend themselves to any type of single family dwelling construction except those on nominal caliber such as a 235 structure. He said many cities permit condominiums in an R-1 zone. He said an R-2 zone is a lower zone than needed for the kind of construction contemplated but that there is no choice, inasmuch as the present zoning ordinance has no provision for a zone between R-1 and R-2. He proposed that the zoning ordinance be amended to provide such a zone, classifying it perhaps, R-1A. Benton reminded the Council that Miss Gustafson, proven by past performance by the manner in which she developed Gustafson Addition, Division No. 1, 2, and 3, would develop Gustafson Division No. 4, if annexed, in a manner that would not be detrimental to the surrounding area.

Mrs. Sharon Bennett, 358 West Sunnyside Road, appeared briefly saying that, although she appreciated the position of those protesting this rezoning on the grounds that it might devalue their property, they apparently failed to take into consideration the fact that the petitioner also had an interest in protecting property values and that she surely would not be developing the area in question contrary to or in conflict with her own interests. Mrs. Bennett said she couldn't understand how anyone who had witnessed previous high grade development by Miss Gustafson would be concerned that she would now revert to inferior development. She reminded those protesters that the un-annexed portion of the area in question is still in the County and Miss Gustafson, if she would so chose, could raise pigs in said area.

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Mr. Frank Finlayson, 372 Gustafson Drive, appeared briefly to protest the proposed rezoning on the grounds of potential devaluation of the surrounding area.

Gilchrist reappeared briefly to say that he was relaying a telephoned protest on the same grounds from Mrs. Alice Willard, 3067 Gustafson Circle. Mrs. Willard also protested on the grounds of low water pressure and the additional traffic that would be created by the proposed development.

Mrs. Frances Skelton, 445 Gustafson Drive, appeared to ask why the developer would build condominiums when these would be single family dwellings. Mr. Benton answered by saying that, in this location, a condominium would appeal to a different class buyer, comparable to a buyer who might otherwise be interested in a 235 home.

Mr. Lester Kiel, 1626 Irving, appeared briefly to say that, at one time he was interested in building a home in the general area in question but declined when he heard there was a possibility that the vacant area north of Sunnyside might be developed for multiple dwellings. He said that in his business, and as a long time resident of the City, he took pride in a nicely developed area as the fully developed Gustafson Divisions and hoped that similar development might continue in that general direction.

In answer to a question by Councilman Hovey as to whether or not the property in question was ever placed in the hands of a realtor, Mr. Benton answered in the negative. Mr. Benton continued by saying that this property could be developed in an R-1 zone but that the units would be of the rental type which Miss Gustafson wished to avoid in the interests of the nearby residents and it was for the same reason that she had avoided selling the property.

Councilman Freeman asked what was the intention for developing the property when the entire area was platted. Benton answered by saying that it was necessary to change the design since that time even to the point of amending some of the plats, due to the fact that the entrance to the Gustafson Addition had changed from Sunnyside Road to Park Road.

Councilman Wood said that, as Chairman of the Zoning and Planning Committee, he felt obliged to seriously consider the position of the nearby residents and, therefore, in view of the many protests, it was moved by Councilman Wood, seconded by Karst, that this rezoning petition and request for annexation be denied. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this concluded the zoning hearing and, on the areas where rezoning was authorized, directed the Building Official to incorporate said rezoning on the official zoning map, located in his office.

Mr. Roy Hall, local realtor, appeared before the Council. He said that, because of his ownership interest in the land portion of the K-Mart complex, he was involved in the somewhat complex task of moving the Normandy Apartments. He said a site had been selected within the Cambridge Terrace Addition, but that the Board of Adjustment had denied his relocation on the grounds that this type of structure was not compatible with that area. Councilman Wood advised that the Board of Adjustment had held a late afternoon on-the-site meeting this day and had reported to him that Mr. Hall would be permitted to move the building as planned, providing that he would agree to bring the structure up to code and post a \$5,000 bond accordingly. Mr. Hall thanked the Council for their time. No Council action was considered necessary.

The Mayor acknowledged certain members from a Bonneville High School Government Class in the Council Chambers and thanked them for their presence and their interest. Particularly, noting a cake that had been placed before him by the group with lettering signifying "Save Eagle Rock", he commended them for their interest in this civic project and announced that there would be a cake-cutting in the City Building the following day at 2:00 p.m. He invited this Government Class, as well as all others in the Council Chambers, to attend.

As previously indicated, Mr. Les Kiel had appeared for purposes of protesting a proposed rezoning. Noting Mr. Kiel still in the Council Chambers, the Mayor asked him if he had any additional matters to bring before the Council. Mr. Kiel said he was attending the Council Meeting

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primarily in his capacity as a Chamber of Commerce representative. Speaking in behalf of the Chamber he urged a closer working relationship between the Chamber and the City Council. The Mayor thanked Mr. Kiel for his presence and concurred that closer relationship was a commendable objective.

Bills for the month of April, 1973, having been properly audited by the Fiscal Committee, were presented:

<u>Fund</u>	<u>Materials and Services</u>	<u>Salaries</u>	<u>Totals</u>
General Fund	\$111,998.15	\$134,131.71	\$246,129.86
Street Fund	8,770.58	11,981.92	20,752.50
Airport Fund	1,522.58	4,178.33	5,700.91
Water and Sewer Fund	32,491.11	12,706.51	45,197.62
Electric Light Fund	124,109.69	40,388.74	164,570.43
Fire Fund	6,852.49	54,191.16	61,043.65
Recreation Fund	2,100.35	3,105.98	5,206.34
Police Retirement	.00	2,822.62	2,822.62
<u>TOTALS</u>	<u>\$287,844.96</u>	<u>\$263,506.97</u>	<u>\$551,351.93</u>

Councilman Karst, as Chairman of the Fiscal Committee, reviewed and explained all major expenditures. It was moved by Councilman Karst, seconded by Freeman, that the bills be allowed and the Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 6; No, none; carried.

Reports from Division and Department Heads were presented for the month of April, 1973, and, there being no questions nor objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT, Rainbow Billiards, Hawaiian, Sears; CONFECTIONARY, (transfer only), from George Davis to Gordon E. Birch for Karmelkorn Shop; JOURNEYMAN ELECTRICIAN, Billy Wade, Grant Carlson; APPRENTICE ELECTRICIAN, Walter H. Johnson, Roger H. Sandberg; MASTER PLUMBER, American Plumbing & Heating; JOURNEYMAN PLUMBER, Earl J. Carter; CLASS A CONTRACTOR, GAS, WARM AIR, WET HEAT, REFRIGERATION, American Plumbing & Heating; CLASS D JOURNEYMAN, WARM AIR, Carell Long; CLASS D JOURNEYMAN, GAS FITTING, Earl J. carter; NON-COMMERCIAL KENNEL, Marjorie J. Watson; DANCE HALL, Hawaiian, Skyway Lounge; BARTENDER, LaRue Christopherson, Dale DeRoche, Ray Wilkerson; TAXI CAB OPERATOR, Milton Peebler, Clifford Ryner; PRIVATE PATROLMAN, Harry Mitchell; BEER, (Canned & bottled, not to be consumed on the premises), Yellowstone Texaco; BEER, (Canned & bottled, to be consumed on the premises), Tautphaus Park Softball Diamond, were presented. It was moved by Councilman Erickson, seconded by Wood, 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 an application for a cab driver's license in the name of Tom Anderson, carrying a recommendation from the Police Chief that it not be granted. It was moved by Councilman Erickson, seconded by Wood, that this recommendation be upheld and this application be denied. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk were these two damage claims:

April 13, 1973
826 J. Street
Idaho Falls, Idaho

MAY 10, 1973

Mayor Eddie Pedersen:

RE: THIS REGISTERED LETTER NO. 03754 IS BEING SENT TO YOU TO NOTIFY YOU AS THE MAYOR OF IDAHO FALLS, IDAHO THAT CONSIDERABLE MORE DAMAGE HAS BEEN DID TO MY HOME AND PROPERTY WHICH IS LOCATED AT 826 J. STREET, IDAHO FALLS, IDAHO AND WHICH WILLOW CREEK FLOWS THROUGH THE NORTHWEST CORNER OF MY PROPERTY, THAN WAS MENTIONED IN MY APRIL 2, 1973 REGISTERED LETTER NO. 03707 TO YOU.

Dear Mayor Pedersen:

I, Eldon C. Hilton, do hereby state that ninety-five percent of the damage and etc. to my home, lot, personal and etc. has been brought about by Willow Creek since my April 2, 1973 letter to you.

Now, I, Eldon Hilton, this fourteenth day of April, 1973, do hereby ask and demand, the City of Idaho Falls, Idaho for full performance and full satisfaction of any and all claims of any kind or nature for all damages, repairs, rebuilding, re-enforcing, personal anxieties, valuation of property, profits, and etc., of any kind and all kinds and all natures.

Please advise me at an early date concerning and pertaining to this demand.

s/ Eldon C. Hilton

Mayor S. Eddie Pedersen

Dear Mayor:

On or about April 12th one of the City's sanitary trucks broke a hydraulic line in the alley directly behind our store. They then covered it with sand, which was tracked into our store at the rear entrance. This necessitated our having to clean the rear entry at the cost of \$10.00.

Would appreciate your consideration of reimbursement for this cost.

Sincerely,
s/ Roger F. Sanders
Roper's Men Store

It was explained that, in the interests of time, these had previously been forwarded to the City Insurance Adjustor for investigation and proper handling. It was moved by Councilman Freeman, seconded by Karst, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Another matter requiring Council ratification was explained by this memo:

May 10, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: CHADBAND AGREEMENT A12-11

MAY 10, 1973

Public Works Committee and the City Attorney have been working for some time on an agreement with Mr. Chadband in connection with his property on Anderson Street. The agreement included private property needed for the Anderson Street right-of-way and easements for sewer and drain line facilities; and also included the vacation of certain public rights of way. The terms of this agreement were finalized on Wednesday, May 9, 1973, and in the interest of time, obtained the signatures of the Mayor and City Clerk. We are asked for Council ratification of this action.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Karst, that this action also be ratified and the City Attorney be directed to prepare an appropriate vacating ordinance in accordance with the terms of the agreement. Roll call as follows: Ayes, 6; No, none; carried.

Still another matter requiring Council ratification was presented and explained by this memo:

City of Idaho Falls
May 3, 1973

Honorable Mayor and Councilmembers:

At an informal Council Session, approval was granted to advertise for bids for one 1973 Airport Crash Fire Rescue Vehicle, and one 1000 KVA of Transformation.

The Purchasing Department requests formal ratification of the above action.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Wood, seconded by Gesas, that the foregoing informal Council action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Finally, under matters requiring Council ratifications, Councilman Hovey drew attention to the fact that, on May 1st, the Council had informally authorized the advertising of bids for 1000 KVA of transformation to be used for increased load and conversion; of existing services to underground for the Westbank Motel high rise. It was moved by Councilman Wood, seconded by Gesas, that the foregoing informal Council action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

A City Redemption Tax Deed in favor of Parmer R. Woolf was presented, accompanied by this resolution:

RESOLUTION (Resolution No. 1973-12)

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 17th day of April, 1969, recorded as Instrument No. 395720, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots Twenty-three (23) and Twenty-four (24), Block Ten (10), Highland Park Addition to the City of Idaho Falls, Idaho.

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WHEREAS, PARMER R. WOOLF, 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 PARMER R. WOOLF a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 10th day of May, 1973.

APPROVED BY THE MAYOR this 11th day of May, 1973.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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

Presented to the City Clerk was a 10-year extension rider to Union Pacific Contract Agreement LD No. 19166 covering a storm sewer pipe line encroachment to cover the area adjacent to the Kitchen Queen. It was moved by Councilman Freeman, seconded by Gesas, that this rider be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Purchasing Department was submitted:

City of Idaho Falls
May 8, 1973

One 500 KVA 3-Phase Padmount Transformer

Honorable Mayor and Council Members:

The Purchasing Department requests approval to advertise for bids for one 500 KVA 3-Phase Padmount Transformer for Chad's Home Furnishings on Anderson Street. This transformer is a long delivery item, and the cost will be approximately \$4,500.00.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Hovey, seconded by Gesas, that authorization be granted to advertise for bids on the transformer as described. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Purchasing Department was forthcoming, as follows:

City of Idaho Falls
May 10, 1973

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Replace Roofing on Recreation Center Building

Honorable Mayor and Council Members:

The Purchasing Department requests approval to advertise for bids to replace roofing on the Recreation Center Building. Estimated cost \$4500.00.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Freeman, seconded by Erickson, that authorization be granted to advertise for bids for the project as described. Roll call as follows: Ayes, 6; No, none; carried.

Also, from the Purchasing Department, this memo was forthcoming:

City of Idaho Falls
May 3, 1973

One Microfilm cartridge camera and microfilm reader-printer

Honorable Mayor and City Councilmembers:

The Purchasing Department requests approval to advertise for bids for one microfilm cartridge camera and one microfilm reader-printer, for the Police Department for approximately \$5700.00 to be partially paid for by a Federal Grant.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

By invitation from Councilman Erickson, Police Chief Pollock appeared to explain history which led up to this point of advertising for bids on this equipment. He also explained how this equipment, when acquired, would be of great value throughout the entire region and the fact that this is the same kind of equipment used by the County and the LDS Hospital. Finally, Pollock advised that a large portion of the purchase price would be from Federal Grant and that the City's cost would be \$713 plus about \$907 for salaries. It was moved by Councilman Erickson, seconded by Wood, that authorization be granted to advertise for bids for the equipment as described. Roll call as follows: Ayes, 6; No, none; carried.

Still another memo from the Purchasing Department was forthcoming, to-wit:

City of Idaho Falls
May 9, 1973

Honorable Mayor and Councilmembers:

Tabulation of bids for one new 1973 wheel tractor is attached.

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Evaluation of bids received show McClaskey Ford Tractor, Inc. submitting the low bid of \$3743.00 with trade-in with live PTO.

It is the recommendation of the Equipment Management and the Purchasing Department that the bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Agent

It was moved by Councilman Gesas, seconded by Karst, that the low bid of McClaskey Ford Tractor be accepted for the vehicle as described. Roll call as follows: Ayes, 6; No, none; carried.

Tabulation of bids on 81 garbage containers was revealed by this memo from the Purchasing Department:

City of Idaho Falls
May 10, 1973

Honorable Mayor and Councilmembers:

Tabulation of bid received show Reliance Metal Works of Idaho Falls submitting a bid for the following refuge containers:

21	1 ½ Cubic Yard Garbage Containers	\$145.00	\$ 3,045.00
60	3 Cubic Yard Garbage Containers	\$165.00	<u>\$ 9,900.00</u>
	TOTAL:		\$12,945.00

Containers budgeted for \$13,500.00

It is the recommendation of the Public Works and the Purchasing Department that the bid be accepted. This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Gesas, seconded by Karst, that the Reliance Metal Works bid of \$12,945 be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Tabulation of bids on various vehicles was listed by this memo from the Purchasing Department:

City of Idaho Falls
May 9, 1973

Honorable Mayor and Councilmembers:

Tabulation of bids for vehicles is attached.

MAY 10, 1973

Evaluation of bids received show as follows:

Ellsworth Brothers submitting the low bid for the following vehicles with trade-in.

Engineering	1 - ½ Ton Cargo Van	\$3,499.00
Electric Light Division	1 - ¾ Ton Four Man Crew Cab Pickup	\$4,057.00
Fire Department	1 - Standard 4 Door Station Wagon	\$3,877.00

Stoddard-Mead Ford submitting the low bid for the following vehicles with trade-in:

Water-Sewer Department	1 - ½ Ton Pickup	\$2,991.90
Electric Light Division	1 - ½ Ton Pickup	\$2,969.80
Police Department	1 - 4 Door Sedan	\$3,442.60
Building & Zoning	1 - 4 Door Sedan	\$3,264.89
Sewer & Park Department	2 - ¾ Ton Pickups	\$3,423.52 ea. without trade-in

It is the recommendation of the Equipment Management and 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 Gesas, seconded by Karst, that the bids of Ellsworth Brothers and Stoddard-Mead Ford be accepted for the various vehicles as listed and described. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
May 10, 1973

Honorable Mayor and Councilmembers:

Tabulation of bids for two 500 KVA Padmount Transformers and Electrical Conductor is attached.

Evaluation of bids received show as follows:

Spokane Transformer Company of Spokane, Washington submitting the low bid for the two 500 KVA Padmount Transformers for \$3182.0 each, with 10 weeks delivery.

The following companies submitting the low bids for the Electrical Conductor:

Item #1	Westinghouse Electric Supply Co.	\$22,512.00
Item #2	Pole Line Distributing Company	7,425.60
Item #3	Electrical Wholesale Supply	4,650.00
Item #4	Electrical Wholesale Supply	650.00

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It is the recommendation of the Electric Light Division and the Purchasing Department that the above bids 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 low bids as listed be accepted for the transformers and electrical conductor as described. Roll call as follows: Ayes, 6; No, none; carried.

From the Parks & Recreation Director came this memo:

City of Idaho Falls
May 10, 1973

TO: Mayor and City Council
FROM: Ernest C. Craner – Director of Parks & Recreation
SUBJECT: ZOO – TAUTPHAUS PARK

The Parks and Recreation Division request authorization to change opening and closing hours at the zoo. Hours recommended are 10:00 A.M. to 8:00 P.M. (summer hours) effective immediately.

s/ Ernest Craner

Councilman Freeman asked that, included in this memo, there also be a recommendation that there be only one zoo gate open to the public. He explained that this would hopefully cut down on animal harassment. It was moved by Councilman Freeman, seconded by Erickson, that these recommendations be approved. Roll call as follows: Ayes, 6; No, none; carried.

From BCOG Director Gilchrist, this memo was submitted:

Bonn. Council of Gov.
May 10, 1973

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: AMENDMENT TO ZONING ORDINANCE NO. 1115

The following proposed amendment to the zoning ordinance was reviewed by the Planning Commission at their regular meeting on April 10th, and recommended that it be adopted. It is now being submitted to the Mayor and Council for your consideration.

3-2 Amendments

F. Limitations on petitions to amend.

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Following final action by the City Council on any petition to amend the Zoning Ordinance or the Map, no further petition to amend raising the same or substantially the same subject matter, or effective the same or substantially the same parcel of real property, shall be submitted to the Idaho Falls Planning Commission within a period of six (6) months following final action on the previous petition to amend by the City Council. For the purposes of this section, final action by the City Council means adoption or rejection of a petition to amend by the City Council.

s/ Rod

It was moved by Councilman Wood, seconded by Karst, that the City Attorney be directed to prepare an amendatory ordinance, incorporating the amendment as recommended, for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director, this memo was presented:

City of Idaho Falls
May 10, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: DEMOLITION OF BUILDINGS M 14-E

We are attaching hereto two copies of an agreement between the City and Professional Building Company. The Public Works Committee and the City Attorney have developed this agreement in order to remove two dilapidated buildings at the corner of Capital Avenue and "B" Streets to provide parking. We would request authorization for the Mayor and City Clerk to sign the City's approval.

Respectfully submitted,
s/ Don F. Lloyd

It was moved by Councilman Karst, 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.

Also, from the Public Works Director, this memo was forthcoming:

City of Idaho Falls
May 9, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: BROADWAY WATERLINE REPLACEMENT 12A - F 4-1

We have completed plans and specifications for a 12-inch water main on Broadway Street from Saturn Avenue to Skyline Drive. This project was funded in the current budget and we would request authorization for the City Clerk to advertise for competitive bids.

Respectfully submitted,
s/ Don
Donald F. Lloyd

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It was moved by Councilman Gesas, seconded by Karst, that the City Clerk be authorized to advertise for bids on the project as described. Roll call as follows: Ayes, 6; No, none; carried.

A third memo from the Public Works Director was submitted, as follows:

City of Idaho Falls
May 9, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SEAL COATING OF STREETS

Plans and specifications have been completed for the annual seal coating of City streets. \$65,000.00 has been budgeted for this purpose and we are requesting authorization for the City Clerk to advertise for competitive bids.

Respectfully submitted,
s/ Don
Donald F. Lloyd

It was moved by Councilman Gesas, seconded by Karst, that the City Clerk be authorized to advertise for bids on the project as described. Roll call as follows: Ayes, 6; No, none; carried.

Still another memo from the Public Works Director was reviewed, as follows:

City of Idaho Falls
May 10, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: DEMOLITION OF BUILDINGS

In accordance with an agreement with Professional Building Company we are responsible for the demolition of two buildings at the corner of Capital Avenue and "B" Street. We are requesting authorization for the City Clerk to advertise for competitive bids.

Respectfully submitted,
s/ Don
Donald F. Lloyd

It was moved by Councilman Gesas, seconded by Karst, that the City Clerk be authorized to advertise for bids on the project as described. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Public Works Director, this memo was received:

City of Idaho Falls
May 9, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: PAVING OF YELLOWSTONE PARKING LOT - 5A-10c

MAY 10, 1973

On May 8, 1973, two bids were received for paving the Yellowstone Parking Lot as follows:

Kennaday Paving Company	\$6,749.00
Bonneville Paving Company	\$7,301.00
Engineer's Estimate	\$7,064.00

These bids have been checked and since money is funded, we would recommend that the Mayor and City Clerk be authorized to sign these contracts with the low bidder, Kennaday Paving Company in the amount of \$6,749.00.

s/ Don

It was moved by Councilman Gesas, seconded by Karst, that Kennaday Paving Company be awarded the bid for paving the area as described. Roll call as follows: Ayes, 6; No, none; carried.

From the Traffic Safety Committee, this memo was submitted and studied:

City of Idaho Falls
May 10, 1973

TO: Honorable Mayor and City Council
FROM: Traffic Safety Committee
SUBJECT: TRAFFIC RECOMMENDATIONS

The following are submitted for your consideration.

1. Suggest YIELD sign be installed on Azalea Drive at Sequoia Drive. Also a YIELD sign on Sequoia at 21st Street.
2. Suggest City Code 6-7-1 SPEED OF TRAINS, be changed from twenty miles per hour to twenty-five miles per hour to better accommodate the railroad and to assist in clearing grade crossings within the City particular on southbound trains.
3. Suggest the south side of Keefer Street from Holmes Avenue, west of Pierce of Idaho, 450 Keefer, be limited to one hour parking.

Respectfully submitted,
s/ R. D. Pollock
R. D. Pollock, Chairman
Traffic Safety Committee

With reference to the first recommendation, it was moved by Councilman Erickson, seconded by Wood, that the two yield signs be installed at the locations as stated. Roll call as follows: Ayes, 6; No, none; carried.

The second recommendation was then discussed. Asked for comment, the Police Chief said this should result in less waiting time for motorists wishing to cross the tracks. It was moved by Councilman Erickson, seconded by Wood, that this proposal be approved and the City Attorney be directed to prepare an amendatory ordinance accordingly. Roll call as follows: Ayes, 6; No, none; carried.

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Regarding the third recommendation, it was moved by Councilman Erickson, seconded by Wood, that one hour parking be permitted for the area in question. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor asked the City Clerk to present and read aloud this communication:

Greater Idaho Falls
Chamber of Commerce
May 10, 1973

Honorable S. Eddie Pedersen
City Council
Idaho Falls, Idaho

Dear Mayor Pedersen:

Enclosed is a list of the Chamber Members who have thus far responded to our membership poll regarding the four options listed.

As you can see they are high in the leadership of the business community. Many of these people served on the modernization study committee over a year ago.

It was felt at that time that the most likely first step would be the construction of a joint law enforcement facility.

The replies are coded as follows:

1. Favoring joint law enforcement facility
2. Favoring the addition to the present facility
3. Favoring no change
4. Favoring a joint City-County central building complex.

The Chamber of Commerce feels that this is an important expression from substantial citizens and warrants serious consideration from elected officials. This group understands that it will cost money. They are willing to be taxed to build something with pride. This group will furnish the leadership to sell the project to the other citizens.

By direction of the Board of Directors.

Sincerely,
s/ W. E. Brooks

It was noted that, from the 115 businessmen that had thus far voted, 38 favored a joint law enforcement facility, 35 favored a joint City-County central building complex and 42 favored a combination of the above. The Mayor commended the Chamber of Commerce for this highly informational survey and asked the City Clerk to make same a matter of record.

The Mayor announced that serious Council consideration was being given, for the first time in history, to a revised electric meter deposit policy which would permit, under certain circumstances, a refund to deserving electric consumers, within the City. He said it was generally recognized that the present non-refund policy was archaic, having been enacted by City Ordinance

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in 1908. He said this consideration had been prompted and was in line with the City Administration's overall program of updating and modernization. He noted that this matter had been under study for a good many years and, along this line, asked the City Clerk to present and read this memo:

City of Idaho Falls
May 10, 1973

MEMO

TO: Honorable Mayor and City Councilmen
FROM: Roy C. Barnes, City Clerk

Gentlemen:

As early as 1961 a questionnaire was sent from the Office of the City Clerk to cities throughout the west who owned and operated their own electrical systems to determine their electric meter deposit refund policy. From the twenty-five questionnaires sent out, seventeen responded and, without exception, under certain circumstances, these seventeen cities indicated that they refunded meter deposits.

In 1968 a survey was made by the Northwest Public Power Association on this same issue. 201 questionnaires were mailed out; 167 replied. Of those who responded, it was learned that 89 cities, again under certain circumstances, made a practice of refunding meter deposits.

Based upon the foregoing statistical information, plus written articles and prepared presentations by experienced men in the field as found from time to time in national trade magazines, it was our belief that the City of Idaho Falls should at least consider upgrading and modernizing our policy by permitting refunds under circumstances as dictated by the Mayor and City Council.

Therefore, in 1970, with the approval of the Mayor, this proposal was officially introduced and presented to the City Council.

In the interim period, additional substantiating information was received. In 1971 the Salem Electric Company submitted a questionnaire to 173 utilities. With 114 responding, 56% either required no meter deposit from certain categories or provided for refunds under certain circumstances.

In August of 1972, the City Clerk was directed by the Chairman of the Council's Fiscal Committee to submit firm recommendations and the matter has since been under constant Council consideration.

There are many valid arguments pro and con on the meter deposit refund philosophy. This writer was not asked to delve into this subject in this memo. Suffice to say then, as a notation at this time, over 85% of our well established utility customers remit promptly in full when billed for utility services. It seems only equitable and fair that those customers who otherwise receive so little thanks and appreciation for their prompt remittances, no

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longer be penalized for retention of their deposit that, proven by their past payment performance, will not be needed to insure payment of their final utility bill.

s/ Roy C. Barnes
CITY CLERK

Councilman Karst noted that this revised policy, if and when enacted into Ordinance form, would result in about \$90,000 in the form of meter deposit refunds. It was moved by Councilman Karst, seconded by Hovey, that the City Attorney, working with the Finance Committee and the City Clerk, be directed to prepare an appropriate Ordinance in this regard, to be effective July 1st, 1973. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood presented an amendment to an FAA Lease No. DOT FA 71WE 0927 which would permit an additional outlet on the Airport Communications System. It was moved by Councilman Wood, seconded by Gesas, that this amendment be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood then relayed a request from the L. R. Bird Investment Company that the Edahow Distributing Company Airport Industrial Park Lease be transferred to Recreation, Inc. Wood said the operation would retain the same local manager and the business would be compatible so that the existing restrictive covenants would be applicable. It was moved by Councilman Wood, seconded by Gesas, that the City Attorney be directed to prepare an appropriate transfer of lease, after which the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Hovey presented a minor amendment to the WPPSS Nuclear Project Agreement No. 3. Hovey explained that the amendment was limited to a changed definition to the word "companies". Hovey explained that the term was presently defined as "the electric utilities, other than Supply System, that execute and are a party to a power sales agreement" and that, under the amendment, said term would be defined as "the electric utilities or other entities other than Supply System that execute and are a party to a power sales agreement." It was moved by Councilman Hovey, seconded by Gesas, that this amendment be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor asked the City Clerk to present and read aloud the following:

Hansen and Hopkins
May 10, 1973

Arthur L. Smith, Esquire
Albaugh, Bloem, Smith and Pike
P. O. Box 428
Idaho Falls, Idaho

RE: CITY OF IDAHO FALLS – PURCHASE OF PROPERTY FROM IDAHO FALLS
COMMUNITY REDEVELOPMENT COMMISSION

Dear Art:

You have requested that we inform you of the price being asked for that certain property located in the urban renewal area which the City of Idaho Falls has expressed an interest in purchasing for the purpose of constructing a new City Electrical Department Service Building thereon. We understand the property which the City is interested in purchasing to be described as follows:

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The west 8.0 feet of Lot 2, Lots 3, 4, 5, 6, 7, 8, 22, 23, 24, 25, 26, 27, 28, 29, 30, and the west 8.0 feet of Lot 31, Block 3, Wynn Addition to the City of Idaho Falls.

The subject property contains 39,100 square feet, being approximately nine-tenths of an acre, and the price therefor is \$1.75 per square foot, or the sum of \$68,425.00.

After your review and the City's consideration of the sales price, we shall look forward to working with you further in consummating the sale.

Very truly yours,
Hansen and Hopkins
s/ C. Timothy Hopkins

No Council action was considered necessary. The Mayor directed the City Clerk to make the foregoing a matter of record.

Councilman Gesas reminded the Council of an earlier presentation of three alternatives for the development of 25th Street between Holmes Avenue and the Church Farm Road which would eventually connect with a major street in Ammon, noting that all three alternates called for a 90-foot roadway. Gesas said his purpose in reintroducing the issue at this time was prompted because of two local developers who were specifically requesting a Council decision for the typical cross section that would be used in the development of this street. Gesas noted that the Planning Commission had reviewed the three alternates and had recommended Alternate No. 2 which would require a 16-foot center landscaped median; and a five-foot sidewalk with a five-foot utility strip.

Asked for information relative to cost, Public Works Director Lloyd explained that an engineering estimate revealed that the City's cost participation under Alternate No. 2 would be \$16.60 per lineal foot with the landscaped median and \$16.00 per lineal foot without the median which would cover the additional roadway over and above the conventional 60 feet. It was the general consensus that for the beautification it would provide, the difference of 60¢ per lineal foot would be a minimal expenditure. In answer to a question by Councilman Wood as to the need for a 90-foot roadway, Councilman Karst said most of the right-of-way for a 90-foot roadway had previously been dedicated. Councilman Gesas upheld the recommendation for a landscaped median on the grounds of beautification, plus the fact that it would serve as a speed deterrent.

Councilman Freeman said he favored the median proposal on the grounds of beautification. It was moved by Councilman Gesas, seconded by Karst, that Alternate No. 2 be selected and accepted for this planned street as indicated. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Karst, that the meeting adjourn at 10:20 p.m., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
