

**FEBRUARY 8, 1973**

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The City Council of the City of Idaho Falls met in a recessed regular meeting, Thursday, February 8, 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 Jim Freeman, Mel Erickson, Jack Wood, Gil Karst, Paul Hovey, and Norris Gesas. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; John Evans, City Controller; Rod Gilchrist, BCOG Director; Don Lloyd, Public Works Director; and Steve Harrison, Electrical Engineer.

Minutes of the last recessed regular meeting, held January 25<sup>th</sup>, 1973, were read and approved.

Bills for the month of January, 1973, were presented. The City Clerk read aloud all fund totals for salaries, materials and services, as follows:

<b><u>FUND</u></b>	<b><u>SERVICES &amp; MATERIALS</u></b>	<b><u>GROSS PAYROLL</u></b>	<b><u>TOTAL EXPENDITURES</u></b>
General Fund	\$72,327.82	\$136,238.36	\$208,605.99
Street Fund	6,533.69	13,003.73	19,537.42
Airport Fund	20,511.33	4,346.38	24,857.71
Water and Sewer Fund	28,050.89	13,343.96	41,394.85
Electric Light Fund	114,856.64	42,700.97	157,557.61
Fire Fund	6,974.23	53,399.34	60,373.57
Recreation Fund	2,037.45	2,787.35	4,824.80
<b><u>TOTAL FUNDS</u></b>	<b><u>\$251,292.06</u></b>	<b><u>\$268,249.84</u></b>	<b><u>\$519,541.89</u></b>

Councilman Karst explained all major expenditures. It was moved by Councilman Karst, seconded by Hovey, 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 submitted for the month of January, 1973, and there being no questions or objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for GROCERY STORE, (Health Food), Irel L. Geddes for E. Street Health Food Store; RESTAURANT, Jay R. Egbert for Wrangler Roast Beef, Madelyn Kristofferson for Chicken Broaster; DAIRY, B. Harper Bare for Home Delivery Dairy; ELECTRICAL CONTRACTOR, Clifford Electric, Snouffer Electric; JOURNEYMAN ELECTRICIAN, Dick Wheeler, Mark J. Barnard, Thomas Snouffer, Larry E. Jensen, Gerald Newton, Clyde Waters, Harold Butler, Harold Kopp; APPRENTICE ELECTRICIAN, Jeff Wheeler, Tom Snouffer, Jr., Bud James, George Veach, Harold Seamon, Lewis Gustin; MASTER PLUMBER, First Street Plumbing & Heating Center, Bair Plumbing & Heating, J. & R. Plumbing & Heating, Reed Plumbing; JOURNEYMAN PLUMBER, Glen B. Reed, Kenneth A. Pack, Dale E. Terry, Dale McBride; CLASS B HEATING & COOLING CONTRACTOR, Bonneville Service Center; CLASS C HEATING & COOLING CONTRACTOR, Nugent Metal Works, Kenneth Dean, Schriener Heating & Air Conditioning, J. & R. Plumbing & Heating; CLASS B JOURNEYMAN, Lowell Harrop; CLASS C JOURNEYMAN, Robert Schriener, Kenneth Dean, Jack Hall, Dave Harman, Tom Hall; CLASS D JOURNEYMAN, Paul Hammond, W. J. Ward, Dale E. Terry; MOTEL, Motel 6, Handy Cabins, Driftwood Motel, Nelson Hotel; PHOTOGRAPHER, Gemland Portraits; AUCTIONEER, Mathew B. Clawson; NON-COMMERCIAL KENNEL, William P. and Dorothy Keeney; CAB DRIVERS, Byron Bush and Floyd Edwards; BARTENDER, Katherine K. Thomas, Gary K. Jensen, Frank E. Everett; BEER (Transfer only), from Albert Sikes for The Blue

Room to Ray Hardison; BEER (Canned and bottled, not to be consumed on the premises), Van Frandsen for Van's Conoco; LIQUOR, Linus W. Bowman for Skyway Lounge, were presented. It was **FEBRUARY 8, 1973**

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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.

This memo from the Building Official was submitted:

City of Idaho Falls  
February 7, 1973

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Building & Zoning  
SUBJECT: VARIANCE FOR MOBILE HOME

Mr. Ralph Colvin at 575 Gladstone Street has submitted an appeal for permission to install a small mobile home on the same lot that Mrs. Colvin's father lives for a period of one year.

Due to Mrs. Colvin's recent heart attack, her condition demands constant care. This arrangement would permit her father to be near to care for her.

This property is located at 440 W. 15<sup>th</sup> Street in a GC-1 zone which permits trailers and mobile homes, however, the ordinance reads that there must be two or more trailers. The plumbing, water and electrical service is still there and usable from a previous trailer removed some five (5) years ago.

Respectfully submitted,  
s/ Paul Lundblade  
Building Official

Mr. Colvin appeared before the Council briefly to say that there are very few other residents in the immediate vicinity of 440 W. 15<sup>th</sup> Street and that these have all given their written assent to the mobile home request as stated in the foregoing memo. Mr. Colvin said that most of that block is open area used periodically for the storage of lumber. It was moved by Councilman Wood, seconded by Karst, that this request for a variance be granted for a one year period and that, after one year, it be the responsibility of the Building Official to see that the mobile home in question is moved. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director came this memo:

City of Idaho Falls  
February 7, 1973

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: SOLIDS HANDLING & DISPOSAL

On January 30, 1973, the Public Works Committee with the aid of consultants presented a report on Solids Handling & Disposal from the sewage treatment plant. Five (5) alternative methods were presented with the recommendation of adopting Alternative No. 5, liquid

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hauling with drying beds and sludge lagoons. The Public Works Committee is recommending that the Council formally adopt this method and instruct this Department to proceed.

Respectfully submitted,  
s/ Don  
Public Works Director

It was moved by Councilman Gesas, seconded Karst, that the City Council endorse and adopt alternative No. 5 as described in the foregoing memo. Roll call as follows: Ayes, 6; No, none; carried.

A one year extension to the Combs Airways Airport Use Agreement was presented. It was noted that terms were identical except that fees had been increased from \$2.00 to \$2.50 per daily scheduled landing and from .09 to .15 per 1,000 pounds landing weight. It was moved by Councilman Wood, seconded by Gesas, that this extension be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

A one year extension to the Valley Cab Company Airport Lease and Concession Agreement was then presented with identical terms and conditions. It was moved by Councilman Wood, seconded by Gesas, that this extension be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

**ORDINANCE NO. 1352**

AN ORDINANCE REPEALING CHAPTER 2, TITLE 9, CITY CODE OF IDAHO FALLS, IDAHO; REQUIRING OWNERS OF PROPERTY TO REMOVE OR TRIM TREES WHICH PROJECT INTO AND IMPEDE USE OF PUBLIC WAYS AND EASEMENTS; MAKING IT UNLAWFUL TO INJURE OR DESTROY TREES AND SHRUBS OR OTHER PLANTS WITHIN THE CITY WITHOUT LAWFUL AUTHORITY TO DO SO; FIXING PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Gesas, 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.

Councilman Wood drew attention to Section 306 (A) of the Uniform Building Code, Volume I, 1970 Edition which reads as follows: "USE or OCCUPANCY. No building or structure in Groups A to H, inclusive, shall be used or occupied, and no change in the existing occupancy classification of a building or structure or portion thereof shall be made until the Building Official has issued a

Certificate of Occupancy therefor as provided herein". Wood continued by saying that, notwithstanding the foregoing, temporary occupancy is permitted under Section 306(D), as follows: "TEMPORARY CERTIFICATE". A temporary certificate of occupancy may be issued by the Building Official for the use of a portion or portions of a building or structure prior to the completion of the entire building or structure."

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Wood then pointed out the Groups "A to H inclusive" in Section 306(A) referred only to commercial buildings, industrial buildings or multiple dwellings and excluded individual dwellings and that herein lies the problem; namely, contractors permitting tenants to move in under a temporary certificate of occupancy and then, inadvertently or otherwise, neglecting to make the necessary construction corrections so that a permanent certificate of occupancy could be issued. In that interim period, continued Wood, the utility billing registers only electric consumption on the temporary construction rate. City Clerk Barnes reminded the Council that, also during that period, no charge was made for other utilities such as garbage, water or sewer service. Wood proposed that the Code in question be amended to read "Groups A to I inclusive" which would include individual dwellings, and that, as soon as a request was made by the contractor to transfer the pole service to the permanent location on the side of the house, the contractor be billed for all utility service, whether or not a permanent certificate of occupancy had been issued. This met with general Council concurrence. Therefore, it was moved by Councilman Wood, seconded by Freeman, that the City Attorney be directed to prepare an appropriate amendatory ordinance, incorporating this change as proposed and that said ordinance, when prepared, then be presented for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Erickson, that the meeting adjourn at 8:00 P.M., carried.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ S. Eddie Pedersen  
MAYOR

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