

NOVEMBER 9, 1972

The City Council of the City of Idaho Falls met in a recessed regular meeting, Thursday, November 9, 1972, 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, Paul Hovey, Jim Freeman, Mel Erickson. Absent: Councilmen Gil Karst and Norris Gesas. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Rod Gilchrist, City Planner; Don Lloyd, Public Works Director; Steve Harrison, Electrical Engineer; Robert Pollock, Police Chief; Les Corcoran, Fire Chief.

Minutes of the last recessed regular meeting, held October 26th, 1972, were read and approved.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to consider a rezoning petition by Mr. Pehr Agren. The Mayor asked the City Clerk to present and read aloud this explanatory memo from the City Planner:

City of Idaho Falls
November 9, 1972

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REZONING PETITION – PEHR AGREN PROPERTY, TRACT 5, SEC. 23, T. 2N., R. 37, E.B.M.

The above described property is located on the west side of Skyline Drive just south of the intersection of Skyline Drive and West Broadway. The property is presently occupied by a triplex and the owner has submitted a rezoning petition requesting a change from R-3A to HC-1 zoning. The purpose of the request is to permit the owner to place two trailer houses in the rear of the property.

This request was submitted to the Planning Commission at their regular meeting in October. Several protests from property owners in the area were voiced at that meeting. The Planning Commission unanimously recommended denial of the request.

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

s/ William Gilchrist

Councilman Wood reported that the Planning Commission, in their recommendation for denial, took into consideration the fact that the rezoning of this property to an HC-1 zone would not be compatible and would tend to downgrade the surrounding area. Wood said that he, as Chairman of the Building and Zoning Committee, concurred in this opinion. There were none who appeared either for purposes of protesting this rezoning or to speak in its favor. It was moved by Councilman Wood, seconded by Erickson, that the Planning Commission recommendation be upheld and this rezoning petition be denied. Roll call as follows: Ayes, 4; No, none; carried.

Mr. Walter "Ed" Jones, District Manager of the local Bureau of Land Management, appeared before the Council and presented the Mayor with a Land Patent from the Federal Government covering 400 acres of land west of the City, more specifically described as follows: SE ¼ of the SE ¼, Sec. 10; NW ¼ of the NE ¼, N ½ of the NW ¼, SW ¼ of the NW ¼, Sec. 14; E ½ of the NE ¼,

NW ¼ of the NE ¼, E ½ of the SE ¼, Sec. 15, T. 2N. R 36, E. Boise Meridian, Idaho. Mr. Jones explained that the City had remitted for this land at the rate of \$2.50 per acre and that this was

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accomplished under the Federal Act of June 14, 1926 which provided for acquisitions of this nature by certain governmental agencies where the use of said lands so acquired would be designated for recreation purposes. The Mayor thanked Mr. Jones for his appearance and for this presentation. He explained that it was the City's intention to develop this land, over a period of time, by installation of such facilities as a drag strip, a Class A oval race track, a trap shoot, pistol range, field archery, etc. Mr. Alden Miller, President of the local Drag Club, appeared briefly and expressed appreciation on behalf of said club for the City's efforts and cooperation in this regard. Mr. Marty Benham, another representative from the BLM, also appeared briefly to say that an effort was being made, working with the County officials, to get the surrounding area properly zoned to provide a buffer area.

Mr. Mel Thomasson, CH2M Project Engineer for the Secondary Sewage Treatment Plant construction project, appeared before the Council at the invitation of the Mayor to present a progress report. It was learned that the construction firm is ahead of schedule on the expenditure of funds with 54% spent to date. Mr. Thomasson explained, however, that this included about \$229,000 worth of stored material. He said construction was about 37% completed and that they were about 15 days behind schedule. Mr. Thomasson continued by pointing out that approximately \$30,000 in extra work has been tentatively committed and that a change order to that effect would soon be submitted for Council approval. He said that, in his opinion, all items of extra work could be readily justified, either from the standpoint of economics, efficiency or safety. He said 5,000 cubic yards of concrete and 692 tons of rebar had been installed. He said there had been some labor trouble involving minority labor but that it would appear this had been resolved. Mr. Thomasson concluded his brief report by saying that an over all quality work performance was being maintained.

Messrs. Richard Burk and Gerald Spellberg appeared before the Council representing the Upper Snake River Valley Dog Training Club. Mr. Burke, acting as spokesman, presented the City with a \$250.00 check as the initial contribution for a Community Civic Center. Mr. Burke expressed appreciation for the cooperation the dog club had received from the City throughout the years by providing winter and summer facilities for the training of dogs. Mr. Burke expressed hope that this would inspire other civic clubs to consider additional donations toward this worthy cause. The Mayor accepted the check and expressed appreciation on behalf of the City. He said the funds would be placed in a special account for the designated purpose as intended.

The Mayor asked the City Clerk to present and read aloud this memo from the Building Official:

City of Idaho Falls
November 9, 1972

MEMORANDUM

TO: Honorable Mayor and Council
FROM: Building and Zoning
SUBJECT: REQUEST FOR VARIANCE

Request for variance by the Riv-Eon Sign Company and Associates Finance Company to erect a five (5) foot by ten (10) foot double faced plex interior illuminated pole sign five foot

inside their front property line on the northeast corner of College Street and Holmes Avenue in an R-3A zone.

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The sign complies to the zoning ordinance with the exception of being a free standing pole sign not attached flat to the building wall as required.

This office has no objection to the approval of this appeal.

s/ Paul Lundblade
Building Official

Councilman Wood spoke in favor of granting this variance. He drew attention to the fact that there are several illuminated signs in this immediate area including those at the Ponderosa Motel, Hugh Robison Insurance Agency and Yuko's Gift Shop. He said this was a non-residential area and all except one of the near-by tenants has indicated their approval. Councilman Freeman registered objection on the grounds that this would be precedent setting for similar requests from other business establishments on Holmes or other R-3A zones within the City. He said the existing illuminated signs were either installed before passage of the comprehensive zoning ordinance or done without a permit. It was learned that the Ponderosa sign is located in a zone that permits it.

Mr. Jerry Foss, Manager of the Associates Finance Company, appeared before the Council to explain that, due to terrain which places them at a lower level than Yuko's Gift Shop, their new building cannot be seen by north bound traffic on Holmes. He said a sign on the building would deface it. He urged the Council to approve this variance on the grounds that it must be installed away from the building and be illuminated to be functional. In the absence of further comment, it was moved by Councilman Freeman, seconded by Hovey, that this request for a variance be denied. Roll call as follows: Ayes, Councilman Hovey, Councilman Freeman, Councilman Erickson; No, Councilman Wood; carried.

At the suggestion of Councilman Wood, inasmuch as the Associates sign had already been ordered, it was generally agreed that there be an on-the-site inspection by all Councilmen to determine the feasibility of permitting installation of said sign with the understanding that it not be illuminated.

Bills for the month of October, 1972, having been properly audited by the Fiscal Committee were presented:

<u>FUND</u>	<u>SERVICES & MATERIALS</u>	<u>GROSS PAYROLL</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$54,272.65	\$137,063.24	\$191,335.89
Street Fund	5,764.20	12,405.39	18,169.59
Airport Fund	35,161.94	3,953.15	39,115.09
Water and Sewer Fund	53,523.57	13,973.27	67,496.84
Electric Light Fund	109,523.57	42,440.68	152,496.84
Fire Fund	8,431.70	53,785.76	62,217.46
Police Retirement	.00	2,429.75	2,429.75
<u>TOTAL FUNDS</u>	<u>\$267,946.80</u>	<u>\$268,499.62</u>	<u>\$536,446.42</u>

Councilman Hovey explained all major items of expenditure. It was moved by Councilman Hovey, seconded by Freeman, that the bills be allowed and the City Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 4; No, none; carried.

Reports from Division and Department Heads were presented for the month of October, 1972, and, there being no questions nor objections, the reports were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

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License applications for GROCERY STORE, Albertson's #118 at 540 E. 17th Street, Albertson's at 550 1st Street, Fay's Foodliner, Inc., Skyline Market, Inc.; RESTAURANT, Millard M. Divine for Broadway Café, Everett Jordan for Stardust Restaurant & Lounge; CLASS D CONTRACTOR, REF, Gene Mark for Wernli, Inc.; CLASS D JOURNEYMAN, REF, Gene Mark; APPRENTICE CLASS D, REF, John H. Wernli, Inc.; APPRENTICE ELECTRICIAN, Norman Strutters with LOC Electric, Dean B. Jacobson with Bonneville Construction Company, Wynn M. Pettingill with Bonneville Construction Company, Jim Unsworth with Skyline Electric, Gary Gough with Skyline Electric, Russell Coyne with Skyline Electric; SECOND HAND STORE, the Swap Shop (from Ted Schnebley to Don Neeley); DANCE HALL, Stardust Lounge; TAXI CAB DRIVERS, James Bray, Jr., Kathy Lyon with Valley Cab Company and Glenna Waters with Yellow Cab Company; BARTENDER, Marilyn Kinney; BEER (CANNED AND BOTTLED, NOT TO BE CONSUMED ON THE PREMISES), Fay Marler for Skyline Market and Fay's Foodliner, Albertsons by Gary White at 550 1st Street, Louis J. Herrback for Albertsons at 540 E. 17th Street; BEER (CANNED, BOTTLED & DRAUGHT TO BE CONSUMED ON THE PREMISES), Millard M. Devine for Broadway Café & Lounge, Everett Jordan for Stardust Motor Lounge, were presented. It was moved by Councilman Erickson, seconded by Wood, that these licenses be granted, subject to final approval by the appropriate Division Director, where required. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the Purchasing Department was presented:

City of Idaho Falls
November 8, 1972

Supervisory Equipment

Honorable Mayor and Councilmembers:

Tabulation of bids for Supervisory Equipment is attached:

It the recommendation of the Electric Light Division and the Purchasing Department that the following items of the low bid by Quindar Electronics, Inc. Springfield, New Jersey be accepted.

Master and Remote	13,659.00
Spare Boards	2,411.00
Extender Board QE-7	127.00
Test Board AC95P	<u>256.00</u>
	16,453.00

This recommendation subject to your approval.

s/ W. J. Skow

It was moved by Councilman Hovey, seconded by Erickson, that Quindar Electronics be awarded the bid for the various electric items as listed. Roll call as follows: Ayes, 4; No, none; carried.

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

City of Idaho Falls
November 8, 1972

New Roof for City Hall

Honorable Mayor and Councilmembers:

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The Purchasing Department requests approval to advertise for bids to replace the roof on City Hall.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Wood, seconded by Freeman, that authorization be granted to advertise for bids on the project as described. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls
October 31, 1972

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SW BONNEVILLE DRIVE 14" WATER MAIN

On October , 1972 we received one bid for the construction of a 14 inch water main on SW Bonneville Drive from Hartwell Excavating Company in the amount of \$24,065.00. The Engineer's Estimate for this project was \$25,098.00. Hartwell's bid is under the Engineer's Estimate and we are recommending that the Council award this contract to this low bidder for the amount of \$24,065.00, subject to the final approval of HUD.

Respectfully submitted,
s/ Don

It was moved by Councilman Freeman, seconded by Erickson, that the one bid of Hartwell Excavating Company be accepted for the project as described, subject to final approval by HUD. Roll call as follows: Ayes, 4; No, none; carried,

ORDINANCE NO. 1346

AN ORDINANCE DESIGNATING OFFICIAL DEPOSITORIES FOR THE CITY OF IDAHO FALLS, IDAHO; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Hovey, seconded by Freeman, 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, 4; 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 that question being "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 4; No, none; carried.

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Councilman Freeman introduced a request from Idaho Systems Builders for a one week extension of time on the multi-purpose shelter construction at Tautphaus Park. It was moved by Councilman Freeman, seconded by Erickson, that this request for a time extension be granted. Roll call as follows: Ayes, 4; No, none; carried.

Councilman Erickson drew attention to a bus loading problem at Central Junior High School. He explained that the total school enrollment is 863 students and, of that figure, 800 are bussed, utilizing 13 busses. Erickson said the school officials had asked that they again be permitted to use 7th Street between Boulevard and Lee for purposes of loading students and also be permitted to route said busses westbound, contrary to the regular traffic flow, to minimize danger by allowing the door opening of the busses to be available from the north curbing. Erickson explained, further, that the bus parking lot east of the school would still be used but the street was also needed to take care of the overflow. He said this arrangement would be needed between 2:30 P.M. and 3:30 P.M. weekdays. Erickson reminded the Council that this arrangement had been previously practiced with reasonable success except for residents living within that block. Erickson proposed that if this request again received Council permission, all tenants be allowed to enter the street eastbound during that period. It was understood that the school would provide a man to place and remove the "Do Not Enter" sign at 7th and Boulevard. Erickson concluded his remarks by saying that this would only be temporary as the school would be abandoned within a year. It was moved by Councilman Erickson, seconded by Wood, that this request, with the stipulations as stated and recommended, be granted. Roll call as follows: Ayes, 4; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Wood, that the meeting adjourn at 8:35 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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