

JANUARY 20, 1972

The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in regular meeting on Thursday, January 20, 1972, at the hour of 7:30 P.M. at the City Council Chambers, in the City of Idaho Falls, Idaho; due and legal notice of said meeting having been given as required by law and the rules and ordinances of the City.

On roll call, the following members, constituting a quorum, were present: S. Eddie Pedersen; Councilmen Paul Hovey, Norris Gesas, Jim Freeman, Mel Erickson, Jack Wood, and Gil Karst. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Rod Gilchrist, City Planner; Lorna Coughlin, City Treasurer; Don Lloyd, Public Works Director; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Steve Harrison, Electrical Engineer; Ernie Craner, Parks & Recreation Director; Pete Hill, Airport Manager.

Minutes of the last regular meeting, held January 6, 1972, were read and approved.

The Mayor announced that this was the time and the place for a public hearing, as advertised, to consider a re-zoning request by the Groberg interests at a location and for the reason as explained and described in this memo:

City of Idaho Falls
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MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: RE-ZONING

A rezoning petition has been received requesting rezoning of property located adjacent to the east side of Woodruff Avenue at the proposed intersection of 16th Street and Woodruff Avenue. This request has been made by Grobergs' and the proposed rezoning is from R-3A and R-2 to R-3A and R-3. A condominium complex is contemplated. The specific lots to be rezoned are as follows: Fairmont Park, Division No. 2, Block 5, Lots 13 through 16, and Block 7, Lots 2 through 9. Strobel Addition, Division No. 1, Block 3, Lots 4 through 8 and Block 1, Lots 5 through 11. The City Planning Commission has recommended approval of this rezoning.

The above described property is being re-platted to provide for realignment and/or vacation of existing streets and easements and to combine the present small lots into one large lot for ease of development. This plat is currently being processed by City offices.

s/ Rod
Rod Gilchrist

Mrs. George Morrall, 1530 Riviera Drive, appeared before the Council to protest rezoning of the property in question on the grounds that this commercial development would be detrimental to surrounding property values; also, that said development would result in additional children, dogs, debris, etc. Mrs. Morrall also registered concern on the grounds that said development would further decrease the ever-diminishing fresh air breezes. Mrs. Morrall said she and her neighbors only learned of this rezoning request recently and that she was in the process of circulating a

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petition of protest with good response. Therefore, she asked that consideration of this rezoning request be at least tabled until the petition was completed and all interested neighbors had an opportunity to voice their views in person. City Planner Gilchrist said that all near-by residents have received written notice from his office. Mrs. Morrall said that neither she nor any of her neighbors had received same. Gilchrist then reminded Mrs. Morrall that her residence and all others in the immediate area are so zoned that multiple dwelling units are permitted and that this or some less desirable development is an ever-present possibility regardless of whether or not this rezoning request is permitted. Mr. David Benton, Engineer for the Groberg interests, appeared briefly to point out that the proposed development is of sufficiently high class that it would not deteriorate the surrounding area. He said the only reason the area is being re-platted and rezoned is so that it can be financed as one entire complex and planned accordingly.

Mr. John Groberg, representing the developers, appeared before the Council. He said that Mrs. Morrall apparently had a misconception of the type of development planned. He asked and received permission to describe same. He said that all units would be sold, not rented, and therefore, the transient element would not be a factor. High density units would be avoided. All construction would be single level and single family units, catering particularly to retired persons, thus eliminating the measurable possibility of small children. Landscaping, outside maintenance and garbage service would be furnished. Mr. Groberg concluded his remarks by saying that all of these factors, in his opinion, would add to, rather than detract from the area.

Mrs. Morrall thanked Mr. Groberg for this descriptive explanation which, she said, placed an entirely different light on the matter from the standpoint as to whether or not the development would be objectionable to the neighborhood. The Mayor then asked if there were others in the Council Chambers wishing to be heard on this issue. Hearing none, the Mayor asked the Council if they wished to take action on this rezoning request. It was moved by Councilman Wood, seconded by Erickson, that the area in question be rezoned in accordance with the recommendation of the Planning Commission as described in the foregoing memo and the Building Official be directed to incorporate said rezoning on the official zoning map located in his office. Roll call as follows: Ayes, 6; no, none; carried.

Presented by the City Planner, then, in connection with the foregoing rezoned area was a first amended plat of Block 5 and 6 of the Fairmont Park Addition, Division #1, Block 5 and 7 of the Fairmont Park Addition, Division #2, the Highland Garden Center Addition, Lot 4 through 11, Block 1 and Block 3, Stobel Addition. After some study it was moved by Councilman Wood, seconded by Erickson, that this First Amended Plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

License applications for GROCERY STORE, D.C. Natural Foods, E. Street Health Food; RESTAURANT, Fords Café, Rainbow Café, Alan's Restaurant, Stockyard's Café, L.D.S. Temple, Saga Food Service; DAIRY, Home Delivery Dairy, Upper Snake River Valley Dairyman's Asso. dba Cream Top Dairy; ELECTRICAL CONTRACTOR, Nelson Electric, Jewell Electric, H & L Electric; JOURNEYMAN ELECTRICIAN, Harold Babbitt, H. T. Babbitt, G. R. Shaw, Rosslyn Bidstrup, Earl Nelson, O. L. Brown, Norman Reno, Dustin Waymire, Robert Hiatt, A. R. Morton; APPRENTICE ELECTRICIAN, Ricky Butler, Charles Rennpage, Richard Van Orden; MASTER PLUMBER, Mathews Plumbing, Bair Plumbing & Heating, LaVar Turpin Plumbing, Vern Saxton Plumbing, Wilding Plumbing, Rigby Plumbing & Heating; JOURNEYMAN PLUMBER, Darwin Mathews, Robert Carruthers, D. L. Davis, Dale Terry, Dale McBarrick, James McNett, Ivan Mathews, Clarence Wilde, Jr., D. P. Wilding, LaVar Turpin, John Beins; APPRENTICE PLUMBER, Gene Mathews; CLASS C CONTRACTOR, H. T. Babbitt, Richard Wiemer; CLASS D CONTRACTOR, Lester Watson, Lloyd

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Winn, Vern Saxton; CLASS C JOURNEYMAN, Joe Scheer, Richard Wiemer, John Beins, CLASS C JOURNEYMAN, Arlo Belnap, Lloyd Winn, Edward Nixon, LeMar Eslinger, Lester Watson; CLASS D APPRENTICE, Robert E. Hill; PHOTOGRAPHY, Photography by Larsen; MOTEL, Handy Cabins; PRIVATE patrolman, Grover McMurdo; TAXI CAB OPERATOR, Michael Purkey, Hilbert Schnyder, DeWayne Burke; BARTENDER, Wayne Sawyer; LIQUOR, Hawaiian , Turf Bar, 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.

Also license applications for POOL ROOM, Fords Bar & Café; CLASS D CONTRACTOR, Darrell Baker; CLASS D JOURNEYMAN, Jammie McNett, Dale Terry, D. L. Davis, Robert Carruthers, Glenn Harris, Darrell Baker; CLASS D APPRENTICE, Allen W. Wadsworth, Terry Stoddard; BARTENDER, Ozelle Davis; LIQUOR, Fords Cigar Store, were presented. It was moved by Councilman Erickson, seconded by Wood, that these licenses also 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 drew attention to the need for scheduling a zoning hearing to consider the rezoning of Lot 14, Block 25, Scotts Addition. It was moved by Councilman Wood, seconded by Karst, that said hearing be scheduled for February 10th, 1972, and the City Clerk be authorized to publish legal notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

A lease renewal agreement between the City and the Idaho Falls Hospital was presented, covering City owned property being used as a hospital parking lot. It was noted that, among other terms and conditions, the lease provided for payments in the amount of \$40.00 per month and an expiration date of December 31st, 1981. In answer to a question by Councilman Hovey, City Attorney Smith explained that this could be re-negotiated in at later date by mutual consent of both parties. Smith also pointed out that this lease contains a recapture clause in the event it is ever decided the property is needed for public use. It was moved by Councilman freeman, seconded by Erickson, that his Agreement be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Gesas introduced Ordinance No. 1314 entitled:

AN ORDINANCE PROVIDING OF THE PAYMENT OF THE COSTS AND EXPENSES OF CREATING LOCAL IMPROVEMENT DISTRICT NO. 44 IN THE CITY OF IDAHO FALLS, IDAHO, AND OF MAKING LOCAL IMPROVEMENTS THEREIN, (EXCLUSIVE OF THE COST AND EXPENSES OF IMPROVEMENTS WITHIN STREET INTERSECTIONS) BY INSTALLMENTS PAYABLE IN FIFTEEN EQUAL ANNUAL PAYMENTS AS NEARLY AS MAY BE, AND AUTHORIZING THE ISSUANCE OF LOCAL IMPROVEMENT BONDS OF SAID DISTRICT IN THE NAME OF SAID MUNICIPALITY FOR SAID INSTALLMENTS, AND FIXING THE RATE OF INTEREST THEY SHALL BEAR AND MAKING THE SAME PAYABLE ANNUALLY.”

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and moved that the Ordinance be adopted and passed by the Council on its first reading. Motion was seconded by Councilman Karst and the same, being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Erickson that the rules be suspended, and that the Ordinance be placed on its second and third reading. Motion was seconded by Councilman Hovey, and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Freeman, seconded by Wood, that the Ordinance pass on its third reading, and that the same be adopted, and the Clerk be instructed to publish the same as required by law, and the same being put to a vote, it was unanimously carried, the vote being as follows: Councilmen Freeman, Erickson, Hovey, Karst, Wood and Gesas.

Councilman Karst introduced Ordinance No. 1315 entitled:

“AN ORDINANCE CONCERNING COSTS AND EXPENSES OF ENLARGED LOCAL IMPROVEMENT DISTRICT IMPROVEMENTS, CONFIRMING THE CREATION AND ESTABLISHMENT OF ENLARGED LOCAL IMPROVEMENT DISTRICT NO. 41 FOR IDAHO FALLS, IDAHO, FOR SEWER IMPROVEMENTS, APPROVING THE ASSESSMENT ROLL FOR SAID DISTRICT, PROVIDING FOR THE PAYMENT IN INSTALLMENTS OF THE COSTS AND EXPENSES OF THE IMPROVEMENTS TO BE MADE IN SAID DISTRICT; PROVIDING FOR THE ISSUE OF IMPROVEMENT BONDS OF THE DISTRICT; ASSESSING THE COST OF THE IMPROVEMENTS AGAINST THE LOTS, BLOCKS AND PARCELS OF LAND IN SAID DISTRICT CONTIGUOUS OR ADJACENT TO, FRONTING OR ABUTTING UPON SAID IMPROVEMENTS IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE CREATION OF A LOCAL IMPROVEMENT GUARANTY FUND FOR THE PAYMENT OF SAID IMPROVEMENT BONDS, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN EFFECT,”

and moved that the ordinance be adopted and passed by the Council on its first reading. Motion was seconded by Councilman Gesas and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Freeman that the rules be suspended, and that the ordinance be placed on its second and third reading. Motion was seconded by Councilman Wood and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Erickson, seconded by Councilman Hovey, that the ordinance pass its third reading, and that the same be adopted, and the Clerk be instructed to publish the same as required by law, and the same being put to a vote, it was unanimously carried, the vote being as follows: Councilmen Freeman, Wood, Gesas, Erickson, Hovey, and Karst. Carried.

The Mayor reported that this regular meeting was convened, in part, pursuant to a duly dated and signed Notice of Regular Meeting which was delivered to each Councilman in due time,

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form, and manner as required by law. The City Clerk read the original of the "Notice and Certificate" set forth below, and the same was ordered spread on the minutes, as follows:

NOTICE AND CERTIFICATE

1. NOTICE OF REGULAR MEETING TO THE MEMBERS OF THE
CITY COUNCIL OF THE CITY OF IDAHO FALLS

Notice is hereby given that a regular meeting of the City Council of the City of Idaho Falls will be held at Idaho Falls, Idaho in the Council Chambers of the City of Idaho Falls City Hall the regular meeting place thereof, at 7:30 o'clock p.m., on the 20th day of January, 1972, for the purpose of considering the execution of a Grant Agreement for Project No. WSF-ID-16-1001 and for the purpose of transacting any other business which may properly come before such meeting.

Dated this 19th day of January, 1972.

s/ Roy C. Barnes
City Clerk
City of Idaho Falls

CERTIFICATE OF SERVICE

I, Roy C. Barnes, City Clerk of the City of Idaho Falls, of the County of Bonneville HEREBY CERTIFY that on the 19th day of January, 1972, I served a true copy of the foregoing Notice of the regular meeting on each and every member of the City Council of the City of Idaho Falls in the following manner: Personally delivered a copy of said notice to their mail box within City Hall.

Witness my hand this 20th day of January, 1972.

s/ Roy C. Barnes
City Clerk

The following resolution was introduced by Councilman Gesas:

"RESOLUTION AUTHORIZING EXECUTION OF GRANT AGREEMENT" (Resolution No. 1972-03)

WHEREAS, the City of Idaho Falls, organized and existing under and by virtue of the laws of the State of Idaho (herein called the "Applicant"), has heretofore submitted an application to the United States of America, acting by and through the Secretary of Housing and Urban Development (herein called the "Government"), for a grant under Section 702 of the Housing and Urban Development Act of 1965, for the purposed designated in the said applications, and

WHEREAS, the government has approved the said application subject to certain conditions and has submitted to the Applicant a certain Grant Agreement dated as of **JANUARY 20, 1972**

January 13, 1972, (herein called the "Grant Agreement"), for approval and execution by the Applicant, which said Grant Agreement is satisfactory,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL of the Applicant that the said Grant Agreement, a copy of which is attached hereto, be and the same is hereby approved. The Mayor is hereby authorized and directed to execute the said Grant Agreement and any requisitions for funds in the name and on behalf of the Applicant, in as many counterparts as may be necessary and the City Clerk is hereby authorized and directed to affix or impress the official seal of the Applicant thereon and to attest the same as may be required by the Government.

Said Resolution was read in full and discussed and considered.

Councilman Gesas then moved the adoption of the Resolution as introduced and read. Councilman Karst seconded the motion, and, on roll call, the following voted "Aye": Councilmen Erickson, Hovey, Karst, Freeman, Wood, Gesas, and the following voted "Nay": none.

The foregoing Grant Agreement having been authorized for execution, this memo from the Public Works Director was then submitted:

City of Idaho Falls
January 20, 1972

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: WELL NO. 12 11A-38-a AND F 5-H

The development of Well No. 12 is a portion of the Water Systems Improvements Project for which we have received Federal Aid from HUD. The Plans and Specifications for the drilling of this well have been completed and we are asking authorization to advertise this project as soon as we receive concurrence from HUD.

Respectfully submitted,
s/Don

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

The Mayor noted that several appointments were necessary to fill vacancies on the Planning Commission and proceeded to make these appointments as follows: Mrs. Ann Larson and Mr. Richard Poitevin, re-appointed for five year terms; Mr. Vaughn Nelson as a replacement for Mr. Floyd Heyrend to a four year term; Mr. Robert Paul to a four year term. It was moved by Councilman Wood, seconded by Erickson, that these appointments be confirmed with the understanding that the Mayor write a letter of commendation and appreciation to Mr. Floyd Heyrend for the many years of dedicated service which he rendered as a Planning Commission member. Roll call as follows: Ayes, 6; No, none; carried.

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The Mayor then proceeded to make these appointments as new members on the Equipment Review Board: Messrs. Steve Harrison and Ernie Craner. It was moved by Councilman Gesas, seconded by Karst, that these appointments be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson reported that, at a recent informal meeting of the Council, it was decided that the purchase of 400 acres of desert land west of the City owned by the BLM be given favorable consideration in the 1972 budget. Erickson said this land would be useful for recreational purposes such as a drag strip, a gun club, etc. It was moved by Councilman Erickson, seconded by Wood, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson then noted that, at an informal meeting of the Council, it was agreed that Civil Service employees may reside outside the City and even outside the County, providing they live a distance of 10 miles or less from the City limits. The City Attorney said this would require an amendment to the Civil Service Ordinance. It was moved by Councilman Erickson, seconded by Wood, that the City Attorney be directed to amend said ordinance accordingly for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

Also in need of ratification, according to Councilman Gesas, was recent informal Council action authorizing purchase of a compressor for the Street Department. Gesas said time was of the essence on this equipment because of the condition of the streets. It was moved by Councilman Gesas seconded by Karst, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood reported on a recent bid opening on a maintenance and storage building at the Airport. Wood said the low bid in the amount of \$19,616 was submitted by Burnside & Sons Construction Company, Rigby, Idaho. Wood explained, further, that said bid was without the following alternates: Electrical service, interior electrical service, a second over-head door, insulation. It was moved by Councilman Wood, seconded by Gesas, that this bid, without alternates, be accepted. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood then presented an airport lease and use agreement from Sun Valley Airlines. It was noted that said lease was only for a thirty day period, expiring February 4th, 1972. It was also noted that the lease provided for automatic extension if desired. It was moved by Councilman Wood, seconded by Gesas, that this lease be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from Councilman Wood, this Airport Industrial Park lease application was presented:

Engineering & Recreation Co.
January 9, 1972

H.P. Hill, Manager
Airport Industrial Park
Fanning Field
Idaho Falls, Idaho

Dear Sir:

We would like to make application to lease a one acre plot of property in the Idaho Falls, Airport Industrial Park. The property lines of this plot would be defined by Lot 1A, Block 2, in Division 4.

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It is our intention to erect a prefabricated steel building on the property and out of this building operate a business primarily concerned with light manufacturing and retail sales of recreational equipment. The Building would be 40 ft. wide, 60 ft. long, and approximately 14 ft. at the highest point.

Upon approval of such a lease we would agree to conform to the codes, covenants and regulations outlined by the City of Idaho Falls for the use of said property.

Sincerely,
s/ A.B. Walker

At the request of Councilman Wood, Airport Manager Hill appeared to explain that the proposed site is about 1.1 acres in size, to be located just south of the AMCO Automatic Company. Hill also pointed out that construction would start about February 1st and be completed about April 1st. It was moved by Councilman Wood, seconded by Gesas, that this application be accepted and that the Mayor and City Clerk be authorized to sign the lease when prepared. Roll call as follows: Ayes, 6; No, none; carried.

City Attorney Smith submitted a written agreement for transfer of certain property from flood Control District No. 1 to the City of Idaho Falls, together with an appropriate instrument for legal publication calling for a public hearing on the 10th day of February in the Council Chambers, at which time all interested persons might appear for the purpose of voicing their opinions with respect to said transfer. The notice also provided for ratification of the agreement by the Flood Control District subsequent to the aforementioned legal publication and hearing.

The City Attorney explained that the property in question, constituting about 9 acres, was acquired by the Flood Control District from two land owners and was to be transmitted to the City without charge. He said it was located directly north of the Meppen Canal, west of Woodruff Avenue, north of the Kelsey Addition about halfway between Lincoln Road and First Street. He said the property was purchased and, after transfer was to be used primarily as an impounding basin for over-flow water from Crow Creek to prevent flooding.

The Mayor expounded on this transaction, expressing great satisfaction that it was about to come to pass. He also expressed appreciation to the Flood Control District in this regard. The Mayor noted that, at certain times of the year, Crow Creek, ever since it was piped underground through the City, has created certain flooding conditions within the City and this impounding basis should correct the problem. The Mayor also commented to the effect that the property in question could have a secondary use for recreational purposes. He said the Flood Control District was motivated to turn this property to the City so that it could be converted to other beneficial uses offering maximum utility. It was moved by Councilman Gesas, seconded by Karst, that the Mayor and City Clerk be authorized to sign both legal instruments, thus acknowledging the City's approval. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Wood, that the meeting adjourn at 8:25 P.M., carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

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