

**OCTOBER 21, 1971**

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The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a regular meeting on Thursday, the 21<sup>st</sup> day of October, 1971, at the hour of 7:30 o'clock P.M. at the City Council Chambers in the City Hall 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: Mayor S. Eddie Pedersen; Councilmen Dale Parish, Jim Freeman, Mel Erickson, Jack Wood, Gordon Nelson, and Paul Hovey. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Rod Gilchrist, City Planner; Steve Harrison, Electrical Engineer; Don Lloyd, Public Works Director; John Evans, City Controller.

Minutes of the last regular meeting, held October 7<sup>th</sup>, and a special meeting held October 12<sup>th</sup>, 1971, were read and approved.

Mrs. Glenda Kite, 1897 South Higbee, appeared before the Council relative to a request for a variance as explained by this memo from the City Planner:

City of Idaho Falls  
October 21, 1971

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: VARIANCE – SIGN IN R-1 ZONE

Attached is a copy of a petition requesting permission to leave a double-faced pole sign in the front yard of an R-1 property, located at the corner of 19<sup>th</sup> Street and South Higbee. The request has been made by Glenda R. Kite and the sign advertises a beauty shop at this location.

The sign was illegally installed (installed without a permit) and a free standing pole sign of this type is not permitted in an R-1 zone. This Department recommends denial of this request.

s/ Rod Gilchrist

Mrs. Kite explained that her home had recently been rebuilt and the entrance had been changed from 19<sup>th</sup> Street to Higbee Avenue, making it difficult for customers to find the location. In answer to a question by Councilman Nelson, Mrs. Kite said she had been engaged in this home occupation at this location for six years. Nelson suggested that this be explained to customers when the appointment is made on the phone. Councilman Freeman explained that there are many other home occupations throughout the City and if the pole sign were permitted for her others could ask for and expect the same treatment. Councilman Wood advised Mrs. Kite that she could place a small sign on the side of her home, or even on both sides if desired. It was moved by Councilman Wood, seconded by Parish, that this request for a variance be denied. Roll call as follows: Ayes, 6; No, none; carried.

**OCTOBER 21, 1971**

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License applications for APPRENTICE ELECTRICIAN, Doyle Heyrend with Nelson Electric; CLASS C JOURNEYMAN, Rick Butler (warm air heating & gas fitting); CLASS D APPRENTICE, GAS FITTING, Norman Shipps with Weimer Heating; PHOTOGRAPHY, Steve L. Green; BARTENDER, Darlene LaPier, Diana Panter, 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.

This memo from the City Planner was submitted:

City of Idaho Falls  
October 21, 1971

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: VARIANCE – RATIFICATION OF PREVIOUS COUNCIL ACTION

Location: 1625 Northgate Mile

Attached is a copy of a request for a variance to allow a retail business to operate in a mobile home unit in a commercial zone within the City of Idaho Falls. This request was denied at an informal session of the Council held October 19<sup>th</sup> and now needs to be ratified by the Mayor and City Council.

s/ Rod Gilchrist

It was moved by Councilman Wood, seconded by Parish, that this previous informal action in denying this variance be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Another matter in need of formal Council ratification was presented and explained by this memo:

City of Idaho Falls

TO: Mayor S. Eddie Pedersen and City Council  
FROM: John D. Evans, City Controller  
SUBJECT: RATIFICATION – R.W. BECK & ASSOCIATES STUDY OF UTILITIES

Requesting your ratification of action taken at the informal Council meeting of October 12, 1971, authorizing the Mayor and City Clerk to enter into an agreement with the R.W. Beck and Associates of Seattle for an in depth study of the utilities billing operation procedures as per their proposal.

s/ John D. Evans

It was moved by Councilman Hovey, seconded by Erickson, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

**OCTOBER 21, 1971**

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Finally, under matters in need of ratification, this explanatory memo was presented:

City of Idaho Falls  
October 13, 1971

MEMORANDUM

TO: Mayor and City Council  
FROM: Steve Harrison  
SUBJECT: LIQUID METAL FAST BREEDER REACTOR

On October 12, 1971, the Council informally approved the City of Idaho Falls' participation in the LMFBR project in the amount of \$5,290.00 annually. Council ratification and authorization for the Mayor and Clerk's signatures is requested, subject to inclusion of certain legal language recommended by the City Attorney.

s/ G. S. Harrison

It was moved by Councilman Hovey, seconded by Nelson, that City participation in this project, as described, be approved and ratified and the Mayor be authorized to sign the City's approval. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk drew attention to the need of scheduling a public hearing to consider two rezoning petitions. It was moved by Councilman Wood, seconded by Parish, that said hearing be set for November 11<sup>th</sup>, 1971 and the City Clerk be authorized to publish legal notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director, this memo was forthcoming:

City of Idaho Falls

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: ANDERSON-LEWISVILLE INTERSECTION

We are attaching hereto an agreement covering the engineering services for the Lewisville Road-Anderson Street junction. This agreement also covers Anderson Street to the Yellowstone Highway to the east and Yellowstone Street to the railroad tracks to the west of the intersection. The City's portion of the project is estimated at \$16,300. Under the TOPICS Program this will be shared with the Federal Government on about a 40-60 basis. Public Works Committee has reviewed these arrangements and we are recommending that Council enter into this Agreement and that the Mayor and Clerk be authorized to sign.

Respectfully submitted,  
s/ Don  
Donald F. Lloyd, P.E.

**OCTOBER 21, 1971**

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Councilman Nelson explained that this was the first step toward correcting the traffic bottle neck at this location. He said this engineering service contract would not be effective until 1972. It was moved by Councilman Nelson, seconded by Parish, that the agreement in question be approved subject to the availability of funds for this purpose from the 1972 budget. Roll call as follows: Ayes, 6; No, none; carried.

Through the City Clerk, the Electrical Engineer presented this memo:

MEMORANDUM

TO:	Mayor and Council	AT:	City Hall
FROM:	G.S. Harrison	AT:	Electric Division
SUBJECT:	WESTERGARD REAL ESTATE	DATE:	October 21, 1971

Attached is a letter from Westergard Transfer and Storage Company offering for sale to the City two parcels of land immediately east of the Eagle Rock substation.

Two parcels encompass approximately 7,500 square feet of area, i.e., 75' x 100'.

This particular area could be used for substation expansion, location of emergency power equipment, and also a buffer zone for beautification. It is recommended that an appraisal of the property be completed before proceeding further.

s/ G. S. Harrison

It was moved by Councilman Hovey, seconded by Nelson, that this be referred to the Electrical Committee for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Parish introduced the following Resolution in writing and moved its adoption:

**R E S O L U T I O N (Resolution No. 1971-31)**

“WHEREAS, the City Engineer and the Committee on Streets of the City Council have made out an Assessment Roll for Enlarged Local Improvement District No. 41, according to the provisions of Section 50-1718, Idaho Code, and the provisions of Ordinance No. 1305, and have certified the same to the Council as provided by law:

NOW THEREFORE, BE IT RESOLVED:

That Tuesday, the 23<sup>rd</sup> day of November, 1971, at 7:30 o'clock P.M. of said day at the Council Chambers in the City Building in the City of Idaho Falls, Idaho, be, and the same hereby are appointed and fixed as the time and the place when and where objections to said Assessment Roll by the property owners in said District shall be heard, and that said Assessment Roll be filed in the office of the City Clerk”.

Councilman Nelson seconded the adoption of said Resolution and the same, on being put to a vote, was unanimously carried by the affirmative vote of all Councilmen present. The Councilmen being as follows: Councilmen Freeman, Parish, Nelson, Erickson, and Wood.

**OCTOBER 21, 1971**

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This ordinance was introduced by the City Attorney:

**ORDINANCE NO.**

AN ORDINANCE ELECTING TO RETAIN THE POLICEMAN'S RETIREMENT FUND FOR THE CITY OF IDAHO FALLS, IDAHO; REQUIRING THAT ALL PAID POLICEMEN OF THE IDAHO FALLS POLICE DEPARTMENT SHALL PARTICIPATE IN SAID FUND; PROVIDING THAT SAID POLICEMAN'S RETIREMENT FUND SHALL BE CONDUCTED AND ADMINISTERED IN ALL THINGS PURSUANT TO THE PROVISIONS OF TITLE 50, CHAPTER 15, IDAHO CODE; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

It was learned that the Police Association had not had an opportunity to study this Ordinance. Therefore, it was moved by Councilman Erickson, seconded by Wood, that this Ordinance be passed on its first reading. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Nelson introduced this policy and procedure proposal on City vehicle usage:

**VEHICLE USAGE - POLICY AND PROCEDURE**

1.0 PURPOSE

1.1 To set forth the policy, responsibilities and procedure for control and use of motor vehicles.

2.0 SCOPE

2.1 Applies to all City of Idaho Falls employees who are authorized users of motor vehicles or other mechanized equipment belonging to the City.

3.0 POLICY

3.1 It is the policy of the City of Idaho Falls that vehicles, which it owns or has custodial responsibility for, be operated within the guidelines as herein set forth, or as may be established by the Mayor and Council.

4.0 RESPONSIBILITIES

4.1 The Equipment Management Supervisor shall administer the policy and procedure and assure that usage of vehicles is within the guidelines as herein set forth.

**OCTOBER 21, 1971**

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- 4.2 The Mayor and City Council, through its Equipment Management Supervisor, shall periodically determine if the operators and users of vehicles are complying with this Policy and Procedure Guideline.
- 4.3 Each Department Head shall assure that usage of vehicles by employees within his department is prudent and consistent with these guidelines.
- 4.4 Each employee will report observed violations in usage of vehicles to the Equipment Management Supervisor.
- 4.5 The Equipment Management Supervisor shall assure that any reported violation of motor vehicle usage is recorded and notification sent in the form of a memo to the violator's Department Head and shall retain one copy in the violations file.
- 4.6 Each Department Head shall act on the information and return the form, with his comments to the equipment Management Supervisor.
- 4.7 The employee authorized for official use of a vehicle is responsible for:
  - 4.7.1 Possession of a valid City Employee Identification card.
  - 4.7.2 Possession of a valid State Motor Vehicle Operator's License or Chauffeur's License as the particular instance might dictate.
  - 4.7.3 Safe operation and protection of the vehicle during the time it is in his possession.
  - 4.7.4 Operation of the vehicle in compliance with Federal, State, County and City vehicle regulations.
  - 4.7.5 Compliance with the established vehicle accident reporting procedures. Regardless of the dollar amount of damage or extent of personal injury in an accident involving a City vehicle, the driver will proceed as indicated under "Procedures" herein.
  - 4.7.6 Informing the Equipment Management Supervisor of any mechanical defects or when scheduled routine service is needed, as indicated by the sticker on the vehicle dashboard.
  - 4.7.7 Properly reporting all credit card purchases or cash purchases of fuel, oil, and services whenever traveling away from the City on official business.
  - 4.7.8 Transportation of authorized passengers on official business only.
  - 4.7.9 No City vehicle shall be used for personal business.

5.0 **PROCEDURES**

- 5.1 Department Heads are authorized to approve requests for temporary or day-to-day assignments of vehicles if the vehicles are available thru the Equipment Management Department.

**OCTOBER 21, 1971**

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- 5.2 Requests for permanent assignment of vehicles shall be made through the Division Director in letter form to the Equipment Review Board for their perusal and recommendation. The letter must contain the purpose for which the vehicles will be used; by whom it will be used; frequency of use; approximate number of miles it will be operated each month; and any other pertinent information in support of the request.
- 5.3 The equipment Review Board shall review all permanent assignment semiannually to determine the need.
- 5.4 In case of accident or damage to a City vehicle the operator shall:
  - 5.4.1 Notify the respective Department Head and advise if there are any injuries.
  - 5.4.2 Report accident to police and remain on the site for completion of the Police Investigation.
  - 5.4.3 Completely fill out the drivers accident report Form No. 229-31.
  - 5.4.4 Report punctually at the appointed time for hearing before the Accident Review Board for dispensation of his case.

6.0 **ENFORCEMENT**

- 1.1 Any employee who shall violate any provision of this Vehicle Usage Policy may be suspended from service.

Nelson explained that this was drafted by the Equipment Supervisor with the endorsement of the Equipment Review Board and had been presented to all Division Heads. It was moved by Councilman Nelson, seconded by Erickson, that this policy procedure proposal be adopted by the City Council. Roll call as follows: Ayes, 6; No, none; carried.

City Attorney Smith introduced this resolution:

**R E S O L U T I O N (Resolution No. 1971-32)**

RE: DECLARATION OF NUISANCE

WHEREAS, a house situated at 450 Garfield in Idaho Falls, Idaho, upon lands in Bonneville County, Idaho, described as follows:

West ½ of Lot 9, and all of Lot 10,  
Block 19, Capitol Hill Addition to the  
City of Idaho Falls

has been thoroughly inspected by members of the Fire Department of said City following the receipt of numerous complaints by Idaho Falls; and

**OCTOBER 21, 1971**

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WHEREAS, it appears that said house is so dilapidated as to menace the safety of persons or property in the vicinity on account of fire hazards; and

WHEREAS, it further appears that the record owners of said property have been duly notified to correct said hazardous condition, but have failed to do so;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Idaho Falls, Idaho, as follows:

Said house situated upon the above described land in Idaho Falls, Idaho, is declared to constitute a nuisance pursuant to the provisions of Section 50-335, Idaho Code, and it is ordered that the house shall be razed and destroyed under the auspices of the Idaho Falls Fire Department.

PASSED AND APPROVED this 21<sup>st</sup> day of October, 1971.

s/ S. Eddie Pedersen  
MAYOR

Mr. Smith noted that every effort had been made to contact the property owner; including registered mail, without success. Smith also noted that, according to recent appraisal, the land has more value without the structure. Finally, it was explained that arrangements have been made for the building to be razed without cost to the City. It was moved by Councilman Freeman, seconded by Nelson, that this resolution be passed and approved. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson reported that the Police Committee had asked for an opinion from Lieutenant Marv Campbell of the Police Department, relative to parking on the Yellowstone parking lot and that, in response, this memo was forthcoming:

City of Idaho Falls  
October 13, 1971

TO: Councilman Mel Erickson  
FROM: Lieutenant Marv Campbell  
SUBJECT: PARKING ON THE YELLOWSTONE PARKING LOT

Sir, my comments on the parking lot east of Yellowstone between Broadway and C Street as requested by you. It is my opinion this lot should be ten hour both the front of the lot and the rear. This would open up more parking for the employee's of the downtown business and keep them off the streets in the downtown area. It has been reported by the meter maids that in the past most of the violators of the two hour parking limit are employees that work in the banks, stores, etc. The main reason is that there just isn't any place for them to park. It has been our observation that people with small children will not park in this lot and drag their children across Yellowstone Avenue. The exception to this would be during the holidays and then people will park there because of the lack of parking places elsewhere. The Tropic Survey conducted in the City recommended this lot be ten hour parking. During this change

**OCTOBER 21, 1971**

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over would be a good time to make this lot ten hour parking. This would relieve parking in the downtown area. Your consideration in this matter would be appreciated.

s/ Marvin Campbell

Asked by Councilman Nelson if this opinion had yet been submitted to the City Parking Commission, Erickson answered in the negative. Therefore, it was moved by Councilman Nelson, seconded by Wood, that this matter be referred to the agency for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Nelson drew attention to the traffic signal light at First and Freeman. Nelson, relaying reactions from various citizens, said that this may constitute a traffic hazard, inasmuch as it is only periodically actuated. Erickson explained that this is prompted because of the fact that there are times when north-south traffic is nominal. It was moved by Councilman Nelson, seconded by Erickson, that this matter again be reviewed by the Traffic Safety Committee for renewed study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Parish, that the meeting adjourn at 8:20 P.M., carried.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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