

JUNE 11, 1970

The City Council of the City of Idaho Falls met in a recessed Regular Meeting, Thursday, June 11, 1970, at 7:30 p.m. in the Council Chambers at Idaho Fall, Idaho. There were present at said meeting, Mayor S. Eddie Pedersen; Councilmen Paul Hovey, Dale Parish, Jim Freeman, Melvin Erickson, Jack Wood and Gordon Nelson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Rod Gilchrist, City Planner, Les Corcoran, Fire Chief; Don Lloyd, Public Works Director.

Minutes of the last Regular Meeting, held May 21st, and two Special Meetings held June 2nd, and June 5th, 1970 were read and approved.

The Mayor acknowledged six visiting Australians in the Council Chambers and asked that they pass around the Council Table and introduce themselves, with their hosts, to all City Officials around the table. They were: Messrs. Tony Nancarrow, Terry Shanahan, Dean Brown, Brian Cunningham, Barry Schultz, and Neil Andrew. The Mayor explained that these men, along with Mr. John Boyce, another member were a group study exchange teams from Rotary District #250 sponsored by Rotary District #542, visiting within the United States April through June. The Mayor then asked Mr. Nancarrow, their team leader, to say a few words. Mr. Nancarrow, a Methodist Minister, expressed appreciation for the hospitality shown the group during their stay in Idaho Falls. He said it was interesting to them to observe the likeness between his people and ours, the manner in which we think, believe and live. Mr. Nancarrow said his group carried with them an expression of appreciation and good wishes from the Lord Mayor of Adelaide, a City of 800,000 people, Capitol of South Australia. The Mayor thanked them for their presence and their interest.

Messrs. Bartlett Brown and Donald Grace from Pocatello, Idaho appeared before the Council. Mr. Brown, a Pocatello Councilman, acted as spokesman. He said they represented the Rail Passenger Users Association and their purpose in visiting City officials in this and other cities within the area was to encourage and urge protests to the discontinuance of the one remaining Union Pacific passenger train traveling from Salt Lake City, Utah, to Butte, Montana, three days a week. Mr. Brown said his group felt that if the service was, instead, modernized and upgraded it would be more frequently and profitably used. Mr. Brown reminded the Mayor and City Council that there was to be a public hearing on this matter on June 19th. It was moved by Councilman Wood, seconded by Erickson, that the Mayor be authorized to select a responsible City official to represent the City at the hearing for purposes of registering a protest as requested. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Howard Henson, 327 S. Skyline and owner of a large rock walled residence at 425 S. Holmes, appeared before the Council, offering to exchange said residence to the City for the City Garage. At the request of the Mayor, the City Attorney explained that, at this time, the Council had taken only the legal steps to sell the City Garage at auction. He said that, even though it is legally possible for a governmental sub-division to effect a trade of real property with a private property owner, the legal requirements are somewhat complex and complicated. He said he assumed the Council would want first to explore all possibilities of selling the property for cash. It was moved by Councilman Parish, seconded by Freeman, that this matter be referred to the Fiscal Committee for study and recommendation with the understanding that Mr. Henson be kept advised. Roll call as follows: Ayes, 6; No, none; carried.

JUNE 11, 1970

Mr. Jerry Keller, son of Mrs. Jerome Keller, owner of the Whirl Wind Car Wash, appeared before the Council. Noting from the agenda that they were requesting a variance through the Planning and Building Department, the Mayor asked the City Clerk to present and read the following:

June 11, 1970

MEMORANDUM

TO: Mayor and City Council
FROM: William R. Gilchrist
SUBJECT: REQUEST FOR A VARIANCE - TRAILER HOUSE

Attached is a copy of a request for a variance to permit an 8' X 40' trailer house to be moved onto the premises of the Whirl Wind Car Wash, located at the NW corner of E. Elva and Yellowstone Highway. This request is being made to house a night watchman in an attempt to minimize the vandalism which has been occurring in the area.

City Staff members have inspected the premises, and it would appear that other means are necessary if vandalizing is to be prevented. It is the opinion of this Department that such things as adequate fencing and lighting of the area should be attempted, prior to the City granting permission to permanently locate a trailer of this size at this location.

Very truly yours,
s/ William R. Gilchrist

Councilman Wood questioned the advisability of a permanent trailer installation at the location in question on the grounds that it would be precedent setting. Councilman Hovey concurred. Wood also questioned that a night watchman inside a trailer house would be effective as a prevention against burglary or vandalism. He suggested, instead, that a night watchman be placed on duty within and around the premises. The other Councilmen seemed to be in general agreement that a trailer must not be permitted at the proposed location in the interest of good planning. It was moved by Councilman Wood, seconded by Hovey, that this request for a variance be denied. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor acknowledged three girls in the Council Chambers representing Girls' State. He thanked them for their presence and interest.

Bills for the month of May, 1970, having been properly audited by the Finance Committee, were presented in caption form as follows:

JUNE 11, 1970

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$195,749.51	\$93,568.23	\$289,317.74
Fire Bonds	64,185.13	5,105.05	69,287.18
Water and Sewer	14,981.00	23,246.08	38,227.08
Electric Light Fund	54,142.94	72,329.310	126,472.24
Recreation Fund	1,581.95	1,282.53	2,864.48
Police Retirement	<u>3,143.40</u>	<u>.00</u>	<u>3,143.40</u>
TOTAL	\$333,783.93	\$226,703.40	\$560,487.33

It was moved by Councilman Parish, 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 May, 1970, and there being no objection, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for SAFE AND SANE FIREWORKS, Glen R. Erickson, David Price; RESTAURANT, George R. Gilbert for Snack Shop, J. H. Galloway for Big G. Drive-In; FOOD PRODUCTS, Glenda Nelson for Idaho Falls High School, T. P. Grimmett for Bicycle Ice Cream, Cream Vending Machine Concession; ELECTRICAL CONTRACTOR, Floyd M. Gifford with F. & L. Electric; JOURNEYMAN ELECTRICIAN, D. Mark Kelsey, Floyd M. Gifford; APPRENTICE ELECTRICIAN, Arthur Lewis Pugh, Jr., Clinton Duncan, Robert J. Schmier, David A. Paulk; CLASS C JOURNEYMAN, GF, WA, Joe Scheer; CLASS D JOURNEYMAN, WA, John Baxter; JOURNEYMAN PLUMBER, Dale E. Terry; BARTENDER, Earl Wackner, Allan A. Elg, John Ransom, Helen Ransom, John Biebl, Glenn E. Clements, Caroline C. Fisher, Gerald Kneebone, Shirley Hansen, Tom Burrows; TAXI CAB DRIVERS LICENSE, Daryl Dobson, Kent Crossley; BEER (TRANSFER), from Noel Bartlett to Roderick Fisher for Red Fox Lounge; BEER (CANNED AND BOTTLED, NOT TO BE CONSUMED ON THE PREMISES), Anthony Zornik for KOA Kamp Grounds; BEER (CANNED AND BOTTLED TO BE CONSUMED OF THE PREMISES), Lynn Jacobs for Sports Round Table, Allen W. Hoffman for Russett Lions Club at Highland Park; LIQUOR (PRO RATED, TRANSFER), from Holi-Rest, Inc. to Roderick Fisher for Red Fox Lounge, were presented. It was moved by Councilman Erickson, seconded by Hovey, 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.

Reference is made to page 401 in this book of minutes and, more specifically, Council authorization for the City Attorney to prepare a land lease in favor of the Edahow Distributing Company at the Airport Industrial Park. The City Clerk noted that, in the interests of time, said lease had been signed on June 1, without formal Council approval. It was moved by Councilman Wood, seconded by Erickson, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

JUNE 11, 1970

The City Clerk drew attention to the fact that there is to be a public hearing in the Civic Auditorium on the 23rd day of June at 7:30 p.m., to consider the Urban Renewal Plan and project proposals of the Idaho Falls Community Redevelopment Commission for the redevelopment and rehabilitation of the Eagle Rock Redevelopment Project No. Idaho R-6 and that legal notice of said hearing is now being published without formal Council approval. It was moved by Councilman Wood, seconded by Hovey, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a five year extension rider to U. P. Railroad Contract L. D. #17931 covering a main water line from Short Street south to 15th Street. It was moved by Councilman Nelson, seconded by Parish, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo was presented and read:

June 11, 1970

MEMORANDUM

TO: Mayor and City Council
FROM: William R. Gilchrist
SUBJECT: REQUEST FOR VARIANCE - TRAILER HOUSE

Mr. Marley Campbell, the owner of Lots 31 through 35, Block 26, Highland Park Addition, has requested permission to move a mobile home onto the above described property for use as a residence. The City Fire Department recently burned a dilapidated residence on this site, and the property has since grown up to weeds. Mr. Campbell has stated that he has found someone interested in locating a mobile home on this site, and the renter will clean, landscape and maintain the site.

This area is currently zoned R-1, however, there are two large mobile homes in existence in the immediate area.

If the City Council grants this request, it is the recommendation of this Department that it be on a temporary basis (perhaps 2 to 3 years), until such time as Eagle Rock Park is completed and the impact upon the area can be studied. It is possible that at that time, some rezoning may be justified in the area.

Yours very truly,
s/ William R. Gilchrist
Planning & Building Dept.

In separate comments, Councilmen Parish and Nelson expressed their opinion on this request for a variance to the effect that there is no justification to permit a trailer house to be located in an R-1

JUNE 11, 1970

zone. It was moved by Councilman Wood, seconded by Hovey, that this request for a variance be denied. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director came this memo:

June 8, 1970

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SANITARY SEWER L.I.D. #41

In June of 1969 the City received a petition with 11 signatures requesting sanitary sewer request in the area of the North Yellowstone Highway north of the Lincoln Road. As a result of this request an engineering investigation was completed and an informal hearing was held last June 2nd. There were 11 property owners in attendance and the conclusion reached by the Mayor and Public Works Council Committee was that the district should be created.

We are, therefore, requesting authorization for the City Attorney to prepare the Resolution of intent to create L.I.D. #41 for the extension of sanitary sewer service.

Respectfully submitted,
s/ Don F. Lloyd

With reference to the informal hearing mentioned in the memo, the Mayor noted that all of those present favored the formation of the proposed local improvement district and none appeared for purposes of registering opposition. It was moved by Councilman Nelson, seconded by Parish, that the City Attorney be directed to prepare a resolution of intent, as recommended, for Council consideration on July 9th. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the Public Works Director, this memo was submitted:

June 9, 1970

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

We have prepared a list of the streets which we consider to be of the highest priority for our annual seal coating program. We have been allocated \$33,000 in the budget for this work and we are requesting authorization to advertise for bids.

Respectfully submitted,
s/ Don F. Lloyd

JUNE 11, 1970

Councilman Parish noted that a previous seal coating project using rubber base has proven successful and that the specifications for the 1970 project would also provide for that type of application. It was moved by Councilman Parish, seconded by Nelson, that the City Clerk be authorized to advertise for bids on this project as soon as possible. Roll call as follows: Ayes, 6; No, none; carried.

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

June 9, 1970

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: SERVICE OUTSIDE THE CITY

A request for sewer service outside the City for George Balmforth was referred to the City Attorney and the Planning Commission for review and comment. Both have reported back to the Public Works Committee and the Committee is now prepared to recommend that the Mayor and City Clerk be authorized to sign the City Sewer Service Agreement.

Respectfully submitted,
s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the contract be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo was submitted by the City Clerk:

City of Idaho Falls
June 11, 1970

Honorable Mayor and City Council
City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

This memo is being submitted at the request of the Mayor.

Yesterday Mr. Marley Campbell came to my desk and verbally offered 89 lots, bounded by Preston on the north, Latah on the east, Higham on the south, Willow Creek and the Eagle Rock Park on the west, in exchange for the City Garage. This property is located in either RPA or R-1 zones. When asked to submit this to the Mayor and Council by written proposal, he said he was leaving the City and would not return until July 4th. He assured me however, that this was a firm offer.

s/ Roy C. Barnes
CITY CLERK

JUNE 11, 1970

It was moved by Councilman Parish, seconded by Freeman, that this matter be referred to the Fiscal Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Police Chief was presented and studied:

City of Idaho Falls
June 5, 1970

TO: Honorable Mayor and City Council
FROM: Office of the Chief of Police
SUBJECT: SPEED WITHIN RESIDENTIAL SECTIONS OF CITY OF IDAHO FALLS

It is herein recommended that the City of Idaho Falls Code 10-6-2 be amended to read: "Twenty-five (25) miles per hour on all streets and roadways except where a different speed is posted," in place of the present Thirty-five (35) miles per hour.

It is agreed upon by the City Traffic Engineer, Traffic Section, and myself, that the majority of the residential streets of the City of Idaho Falls warrant for reasonable and safe speed under ideal conditions the twenty-five miles per hour as the maximum speed. It is presently costing the City several thousand dollars annually for the placing and upkeep of the reduced speed signs that have been necessitated by the thirty-five mile an hour speed. At present there is pending a petition from the majority of the residents on Davidson Drive for reduced speed. Bel Aire district is without signs, and other areas have inquired about the reduction of speed in their respective areas.

For the Police Officer to enforce the speed in most areas of which are not posted the driver is allowed to attain approximately forty miles per hour before being cited. This is just too fast for our streets.

The Idaho State Code 49-701, BASIC RULE AND PRIMA FACIE LIMITS. In part states that where no special hazard exists that requires lower speed, the speed will be Thirty-five (35) miles per hour in any urban district.

Idaho Code 49-703, WHEN LOCAL AUTHORITIES MAY AND SHALL ALTER PRIMA FACIE LIMITS. A. Whenever local authorities within their jurisdictions determine upon the basis of an engineering and traffic investigation that the speed permitted under this act is greater or less than is reasonable and safe under the conditions found to exist upon a highway or part of a highway, the local authority may determine and declare a reasonable and safe prima facie limit there which (1) decreases the limits within any residence, business or urban district; or (2) increases the limit within an urban district not to more than 50 miles per hour during daytime, or 45 miles per hour during nighttime; or (3) decreases the limit outside an urban district, but not less than 35 miles per hour. B. Any alteration of prima facie limits on such alterations has been approved by the Department of Highways.

JUNE 11, 1970

Your consideration will be appreciated.

Respectfully submitted,
s/ Robert D. Pollock

Councilman Erickson noted that an ordinance as proposed would affect substantial savings to the City, inasmuch as proper posting as required by State Law means at the entrance to every block. There appeared to be some question about the wording of the State Law relative to highways. City Attorney Smith explained that herein lies an ambiguity and that several attempts have been made to clear the problem through revised legislation without success. He said until the legislature sees fit to act to clear up said ambiguity, he interprets the law to mean that any street constitutes a highway. Smith continued to say that if the City Code were changed as proposed it would necessitate signs at all entrances to the City clearly indicating the speed limit on all City streets to be 25 m.p.h. unless otherwise posted. Smith said the City Council should be aware that such an arrangement has never been tested in the courts and will likely be sometime within the predictable future but that, if the Council elected to pass such ordinance, he would feel confident that it could be successfully defended. It was moved by Councilman Erickson, seconded by Hovey, that the City Attorney be directed to prepare the necessary and proper legal documents for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor asked that these communications be presented and made a matter of record.

City-County
Emergency Medical Ser.
Action Committee
June 2, 1970

Les Corcoran, Chief
Idaho Falls, Fire Department
City Hall
Idaho Falls, Idaho

Dear Chief Corcoran:

This letter is in regard to the current ambulance service being provided the Idaho Falls region by Idaho Falls Fire Department and Police Department personnel.

Recent reports from a number of citizens, particularly since the rash of incidents over the Memorial Day period, have praised the prompt, efficient ambulance service provided. Several citizens were particularly pleased with the performance by ambulance crews in critical situations, i.e., involving extricating victims from vehicles, handling of patients with apparent multiple fractures, along with action to alleviate bleeding and breathing problems.

JUNE 11, 1970

I therefore, take this opportunity to express the appreciation of this committee for the manner in which the personnel of the Idaho Falls Fire Department have performed ambulance duties.

Very truly yours,
s/ Paul B. Anderson
Chairman

U. S. Dept. of Commerce
June 8, 1970

Honorable S. Eddie Pedersen
Mayor of Idaho Falls
308 C. Street
Idaho Falls, Idaho

Dear Mayor Pedersen:

This agency wished to thank the City of Idaho Falls for help in solving a serious problem that had arisen for a government-owned aircraft (DC-7) which was struck by lightning on June 7 while enroute to Idaho Falls. The plane was returning men and equipment from this office from a research project in New Jersey. The lightning hit the tail section and burned the long line antennas from the aircraft, leaving the wiring to become entangled in the tail section of the aircraft. The prompt services of the Electrical Department with their boom truck made it practical to reach the tail section and dislodge the wires.

We want to express our sincere thanks to your self and Mr. William Fell, Manager of the Light Department, for services rendered. It is this type of cooperation between local and Federal government that makes the system work and eliminates red tape.

Sincerely,
s/ C. Ray Dickson
Chief, Air Resources
Laboratories - Field
Research Office

By illustrated sketch on the blackboard, the Mayor reported that a portion of the south bank of Willow Creek had been washed out at a point where Sand Creek is diverted from Willow Creek. He said his inspection this day revealed that the washout had exposed and this, endangered the south pier of a concrete structure installed last fall by Bonneville County and the Flood Control District for the purpose of controlling Sand Creek flow. The Mayor assured the Council that there is no immediate threat of flood damage and that steps are being taken by the Flood Control District to make necessary repairs.

JUNE 11, 1970

The Mayor reported that Mr. Wayne Rogers of the State Vocational Education Center had indicated to him that the organization he represented was interested in renting the City Garage from the City or from the new owner for at least two years.

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

RESOLUTION (Resolution No. 1970-11)
RE: CITY PARKING ADVISORY BOARD

WHEREAS, the City of Idaho Falls is continually faced with vehicle parking problems on its streets and on parking lots and spaces, public and private; and

WHEREAS, numerous individuals, groups and organizations are concerned in the solving of such problems and in helping to acquire additional off-street parking space and facilities and in obtaining better regulations of parking; and

WHEREAS, the Mayor and City Council of the City of Idaho Falls are keenly interested in receiving proposals and suggested programs for improving parking from all individuals and organizations who have studied the City's parking problems and have feasible solutions therefore; and

WHEREAS, it is believed that feasible and well-reasoned proposals for parking can best be obtained by the Mayor and City Council by creating a City Parking Advisory Board empowered to receive and evaluate such proposals, to coordinate the work of such individuals, groups and organization, and then to make recommendations;

NOW THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL as follows:

1. Membership: There is hereby created a City Parking Advisory Board for Idaho Falls, Idaho, to be composed of five (5) members. The members shall be appointed by the Mayor with confirmation by the Council.
2. Terms: The terms of office of the members first appointed shall be one, two, three, four, and five years, respectively, and the terms of each member shall be five years. Provided, however, the term of office of any member shall expire on December 31, of the year in which his appointment expires. Vacancies shall be filled by appointment by the Mayor with confirmation by the City Council.
3. Compensation: Board members shall receive no compensation.
4. Organization: The Board shall elect a chairman, an assistant chairman and a secretary from its membership. It shall organize, elect officers, and prescribe rules

JUNE 11, 1970

and regulations for conduct of its business within thirty (30) days following the confirmation of its members.

5. Duties: The City Parking Advisory Board shall make such studies and investigation of parking and parking problems, both public and private, and both on-street and off-street, within the City as it deems necessary and proper to discharge its duties; it shall receive proposals and suggestions from all interested individuals, groups and organizations concerning City parking and parking problems, and shall coordinate the efforts of such individuals and groups so far as possible; and it shall make recommendation to the Mayor and City Council from time to time suggesting ways, means and methods of improving parking, solving parking problems, and acquiring additional parking facilities within the City.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 11th day of June, 1970.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was moved by Councilman Freeman, seconded by Erickson, that this Resolution be adopted and passed. Roll call as follows: Ayes, 6; No, none; carried.

The foregoing Resolution having been passed, the Mayor proceeded to make appointments to the newly created City Parking Advisory Board as follows:

<u>NAME</u>	<u>NO. OF YEARS TO SERVE</u>
Ken Cunnington	1
Bill Rigby	2
Richard Clayton, Sr.	3
Richard Bennett	4
Norris Gesas	5

It was moved by Councilman Nelson, seconded by Parish, that these appointments be confirmed. Roll call as follows: Ayes, 6, No, none; carried.

At the invitation of the Mayor, Fire Chief Corcoran reported on a recent meeting he attended in Pocatello on the subject of air pollution. Corcoran explained that the only type of control likely to become effective within the near predictable future is on open burning and, at first, there will even be certain exemptions on that operation. Corcoran said, however, that he had attended another meeting in Boise where all types of burning was discussed and sooner or later, we can expect State rules and regulations accordingly. The Mayor expressed an opinion to the effect that, even though it would appear premature to appoint an air pollution committee at this time he felt that this City

JUNE 11, 1970

should start to gear up for the air pollution controls that are eventually inevitable. Therefore, as the first step in that direction, he proceeded to appoint Fire Chief Les Corcoran as Chairman of the local Air Pollution Board and that he should advise the Mayor and Council when, in his opinion, committee members would be effectively needed. It was moved by Councilman Wood, seconded by Freeman, that this appointment be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

Reference is made to page 409 in this book of minutes and, more specifically, the fact that the plat, the annexation agreement, the improvement drawings and the annexation ordinance of Stanger Farms Commercial Addition had all been conditionally accepted by the Council, subject to the final approval of various responsible City Officials. City Attorney Smith reported that, even though the annexation agreement had, in the interim period, been signed by the Mayor, it had certain loose ends which prompted his writing the following letter to the Attorney representing the developer:

June 9, 1970

St. Clair, St. Clair, Hiller & Benjamin
Attorneys at Law
P.O. Box 29
Idaho Falls, Idaho 83401

RE: ANNEXATION AGREEMENT - STANGER FARMS, INC.
ATTENTION: Mr. Gilbert C. St. Clair

Gentlemen:

This letter is addressed to you as attorney and agent of Stanger Farms, Inc. The annexation agreement executed by the Mayor last week does not fix any exact time when Stanger Farms, Inc. , must notify the City as to which alternative method and route it will follow in construction of the sewer line. Neither does it fix the exact time when the City must receive the instruments conveying the construction easements for sewer to the City in the event Stanger Farms, Inc. elects to construct the sewer across its property at least as far as the lift station shown on the improvement plan. See 2 (e) and 2 (f) of the annexation agreement. I understand that no exact time was fixed for these events because the City did not know until about June 3, 1970, what schedule it intended to pursue relative to proposed L.I.D. #41. You are aware that when the local improvement district to furnish the land north and east of Stanger Farms, Inc. with sanitary sewer is instituted that the City must know the exact route of the main sewer line and must have the deeds dedicating the easements for the line.

It has now been determined by the City that a Regular Council Meeting will be held July 9 to consider passage of the Resolution of Intention to create L.I.D. #41. Accordingly, the City must be informed in writing by July 7, 1970, as to which alternative method and route Stanger Farms, Inc. will follow in relation to 2 (e) of the annexation agreement. Also by July 7 the City must receive the deed to construct the sewer line across its property to the lift station or

JUNE 11, 1970

beyond. Your company has heretofore received a letter from the Public Works Department dated June 3, 1970, to the effect that the date of the decision and the conveyance of the construction easement must be as early as June 22, 1970. This date has been extended by the Mayor and Council to July 7, 1970, as set forth herein.

If Stanger Farms, Inc. shall fail to notify the City as to its determination to construct the line by July 7 or shall fail to convey the easements by that date, the City will proceed to establish L.I.D. #41 in such a manner that the sewer line shall be placed along Anderson Street and North Yellowstone Avenue, and the Stanger Farms, Inc. lands shall be routinely assessed as part of the L.I.D. #41.

Thank you for your kind attention to this matter.

Sincerely yours,
A. L. Smith
City Attorney

Mr. Smith recommended that the foregoing letter be attached to and made a part of the annexation agreement.

After some discussion the City Attorney agreed, to send a supplemental letter to Attorney Gilbert St. Clair, pointing out that, in the event Stanger Farms, Inc. elects to construct any portion of a sewer line including a lift station, completion of said construction must coincide with completion of sewer construction under proposed L.I.D. #41 and that Stanger Farms, Inc. must provide assurances to this effect. It was moved by Councilman Wood, seconded by Hovey, that the Mayor's action in signing the Stanger Farms annexation agreement be duly ratified, that the foregoing letter from the City Attorney to Mr. St. Clair dated June 9th, be attached to and become a part of the Stanger Farms annexation agreement and that the City Attorney be authorized and directed to write the supplemental letter as proposed. Roll call as follows: Ayes, 6; No, none; carried.

Preparatory to presenting an ordinance that would require all private patrolmen, as well as the private patrol service company, to be licensed, City Attorney Smith explained that the ordinance was prepared and ready for introduction except that the amount of the license fees had been left blank. It was moved by Councilman Erickson, seconded by Hovey, that the annual fee be inserted within the proposed ordinance in the amount of \$25.00 for the private patrol service company and \$10.00 for a private patrolman. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1272

AN ORDINANCE MAKING IT UNLAWFUL TO OPERATE OR CONDUCT A PRIVATE PATROL SERVICE OR TO ACT, OR OFFER TO ACT, AS A PRIVATE PATROLMAN WITHIN THE CITY OF IDAHO FALLS WITHOUT FIRST PROCURING A LICENSE THEREFORE; DEFINING TERMS AND UNLAWFUL PRACTICES; ESTABLISHING

JUNE 11, 1970

PROCEDURES, QUALIFICATIONS AND FEES FOR OBTAINING LICENSES; REQUIRING THE POSTING OF BONDS AND CERTIFICATES OF PUBLIC LIABILITY INSURANCE WITH THE CITY CLERK BY ALL LICENSEES; PROVIDING FOR REVOCATION OF LICENSES; ESTABLISHING PENALTIES FOR VIOLATION OF THE ORDINANCE; 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 Erickson, seconded by Hovey, 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 Freeman submitted a brief progress report on the portion of Sand Creek Park being converted to a rodeo grounds. He particularly commended Karl Homer representing the 24th of July Committee and the Street, Electrical and Park Departments for their cooperation. Freeman said it would appear that the premises would be ready for use by the 4th of July.

Councilman Parish reported that the City had just received a revised appraisal of the City Garage in the amount of \$45,000.00, detailed explanation of which is on file in the office of the City Clerk. Therefore, it was moved by Councilman Parish, seconded by Nelson, that sale of the City Garage be authorized by auction on the 23rd day of June, 1970, at 10:30 a.m. and the City Clerk be likewise authorized to publish legal notices accordingly. Roll call as follows: Ayes, 6; No, none; carried.

Reference is made to page 366 in this book of minutes and, more specifically, an illegal beauty shop home occupation at 140 First Street; also to page 391 in this book of minutes pertaining to an illegal car repair home occupation at 690 Gladstone. Councilman Wood reported that, in both instances, the City Attorney has notified these operators that they had 10 days to conform with previous directives or legal proceedings would be initiated against them.

There being no further business, it was moved by Councilman Freeman, seconded by Wood, that the meeting adjourn at 9:50 p.m., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
