

**JUNE 22, 1989**

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The City Council of the City of Idaho Falls, Idaho met in Regular Meeting, Thursday, June 22, 1989, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Jared Lords to come forward and lead all those present in the Pledge of Allegiance to the Flag. The Mayor then called the meeting to order and, upon roll call, the following were found to be present: Mayor Thomas Campbell; Councilmen Paul Hovey, Sam Sakaguchi, Art Chandler, Mel Erickson, and Wes Deist; Absent, Councilman Ralph Wood. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney and all available Division Directors.

The City Clerk read a summary of the minutes of the last Regular Council Meeting held June 8, 1989. The minutes were approved by the Mayor and Councilmembers.

Mayor Campbell stated that he has formed a "Mayor's Action Committee on Drugs" and has asked Al Argyle to act as chairman of that committee. It was moved by Councilman Chandler, seconded by Erickson, that this appointment be confirmed. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried. Mr. Argyle accepted this appointment and said that he is looking forward to working under this auspicious of the City Administration.

Mayor Campbell introduced John Barnes, Administrator of the Idaho State Land and Recreation Fund Program, who was in attendance, to give a special presentation to Dave Christiansen of the City's Parks & Recreation Department. Dale was given the "Young Professional Under Thirty-Five Award" for the Pacific Northwest Region. Dave then received a congratulatory handshake from all City Officials around the Council Table and a round of applause from all those present in the Council Chamber.

The Mayor honored Eagle Scouts Brian Holm, Jared Lords, Chris Campbell, and Ryan Harpen. He called them an elite group of young men and presented each with a congratulatory handshake from all City Officials around the Council Table and a round of applause from all those present in the Council Chamber.

The Mayor declared open a public hearing to consider Conditional Use Permits at four schools within School District #91, and called upon Councilman Chandler to conduct the hearing. At the request of Councilman Chandler, the City Clerk read the following memo:

City of Idaho Falls  
June 20, 1989

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: CONDITIONAL USE PERMIT FOR MODULAR CLASSROOMS

This office has received a request to place modular, relocatable classrooms at four (4) schools within School District No. 91. The request is being made to alleviate overcrowding in the following schools: Longfellow Elementary, Westside Elementary, Theresa Bunker Elementary, and Clair E. Gale Junior High.

This Department has reviewed these requests and recommends the Conditional Use Permits be granted for a period of one (1) school year. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

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No one appeared either for or against this request. It was moved by Councilman Chandler, seconded by Deist, that the Council approve these Conditional Use Permits for one school year.

The Mayor then declared open a public hearing to consider a request for a Conditional Use Permit to operate a day care center at 950 North Boulevard and asked Councilman Chandler to conduct the hearing. Chandler asked the City Clerk to read the following explanatory memo:

City of Idaho Falls  
June 20, 1989

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: CONDITIONAL USE PERMIT - DAY CARE CENTER

This office has received a request for a Conditional Use Permit to operate a Day Care Center at 950 North Boulevard. This application was submitted by Alice Poulter, one of the people who will operate the Day Care Center. They are proposing that the Center will operate from 7:00 a.m. to 6:00 p.m. It will have three (3) staff members and approximately 30 children.

The property has been inspected by the Fire Marshall and by this Department. It has been determined there is adequate parking. Loading and unloading would be at curb side, which does not present a problem, since traffic is very light on this street.

This matter was considered by the Planning Commission and they unanimously recommended approval. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Lloyd Poulter, the requester, appeared to state that all area residents approve this proposal and asked the Council to give favorable consideration to his request.

No one appeared in opposition to this proposal. It was moved by Councilman Chandler, seconded by Deist, that this Conditional Use Permit be approved. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Chandler and Erickson; No, none; carried.

License applications for BARTENDER, Elizabeth A. Ravenscraft, Cheryle C. Padgen, Howard E. Arthur, Cindy Ann Kellar, James Pettingill, David Roy Bensen, April D. Bills, Bonnie J. Bean, Arden E. Sellars, Roger D. Sauer; PRIVATE PATROLMAN, Dan Taylor; RESTAURANT, Melina's Fine Mexican Food, Snake River Settlers (Tautphaus Park 2 locations); CONCESSION, Boy Scouts of America, Troop #150, Ruth's Circle, Iona 6th Elders Quorum, Idaho Falls North Stake 10th Ward Elders, Boy Scouts of America, Troop #326; WHOLESALE FIREWORKS, Discount Fireworks; FIREWORKS, Discount Fireworks (Grand Teton Mall, Yellowstone Mall), Ben Franklin Store, Flying Dragon (Bowlero & Rush Auto Parts), Payless Drug, Golden Dragon (Shopko); SPRAYING PERMIT, Riverside Auto Body, Precision Body Works; ELECTRICAL CONTRACTOR, Original Sound, ADT Security Systems Mountain West, Inc., Lynn Walker Sign Company, Bill Whipple Electric, James Crook Electric; JOURNEYMAN ELECTRICIAN, Lynn Walker, Keith R. Cragun, Richard C. Grady,

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Phil P. Omas, James P. Crook, William L. Whipple, Jerry L. Christensen; CLASS D HEATING & COOLING JOURNEYMAN, Dana Ross Fiola; BUILDING CONTRACTOR, Jamison Construction, Shumaker Construction, Inc., Home Maintenance & Handyman Services, Pacific West Construction, Inc., and Advanced Interior Systems, Inc. were presented, carrying all required approvals. It was moved by Councilman Erickson, seconded by Chandler, that these licenses be issued. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

The City Clerk asked for Council ratification of the issuance of a BARTENDER PERMIT to Vicki Jean Patterson. It was moved by Councilman Erickson, seconded by Deist, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

The City Clerk asked for ratification of the publishing of a legal notice calling for several hearings on July 6, 1989. It was moved by Councilman Chandler, seconded by Deist, that this previous action be duly ratified. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

From the City Planner came this memo:

City of Idaho Falls  
June 20, 1989

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: SUMMARY OF NEW ZONING ORDINANCE

The City Council, earlier this year, adopted the Ordinance for the purpose of publication in accordance with Idaho Law. This summary obviates the need for publishing the entire text of the Ordinance. This summary has been approved and signed by the Assistant City Attorney.

This Department respectfully requests the Council authorize the Mayor and City Clerk to execute the summary and authorize the City Clerk to publish the summary.

s/ Rod Gilchrist

There being no question nor comment, it was moved by Councilman Chandler, seconded by Deist, that the Council authorize the Mayor and City Clerk to execute the summary and authorize the City Clerk to publish the summary of Ordinance No. 1941. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This memo from the Public Works Director was then read:

City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger - Public Works  
SUBJECT: HOLMES AVENUE PROJECT

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- (a) Right-of-Way Certificate and Resolution
- (b) Relocation and Incidental Payments Information

Attached are copies of the Right-of-Way Certificate and Resolution, and the Relocation and Incidental Payments Information forms for the Holmes Avenue Project - 9th Street to 17th Street, No. M-7316(006). The execution of these forms is required prior to funding by the Idaho Transportation Department.

Public works recommends approval by the City Council and authorization for the Mayor and City Clerk to sign the necessary documents.

Respectfully,  
s/ Chad Stanger

This resolution was then reviewed:

**RESOLUTION (Resolution No. 1989-05)**

To accompany Right-of-Way Certificates for F. A. Project. M-7316(006).

WHEREAS, the City of Idaho Falls intends to construct Holmes Avenue 9th Street to 17th Street, under Federal-aid Highway Project No. M-7316(006); and

WHEREAS, federal funds for the improvement depend upon compliance with federal and state laws governing procurement of right-of-way; and

WHEREAS, the City of Idaho Falls has complied with the aforesaid laws and regulations in procuring right of way for Federal-aid Highway Project No. M-7316(006).

NOW, THEREFORE, BE IT RESOLVED:

1. That the City is authorized to execute a RIGHT-OF-WAY CERTIFICATE certifying that the aforesaid laws have been complied with.
2. That copies of the executed certificates shall be furnished to the Idaho Transportation Department, Division of Highways.

**CERTIFICATION**

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council held on June 22, 1989.

s/ Velma Chandler

It was moved by Councilman Sakaguchi, seconded by Deist, that the Mayor and City Clerk be authorized to sign the necessary documents in this regard. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

From the Airport Manager, came this memo:

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City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Airport Committee  
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS

The Airport Committee respectfully requests authorization to advertise for bids for this year's Airport Improvement Program-funded project. This project would construct Federal Way into the new air cargo area, expand the aircraft parking apron, extend security fencing and add newly-required airfield lighted signs.

This is subject to receipt of an anticipated Federal Aviation Administration grant, for which a "tentative grant approval" has been awarded.

s/ James H. Thorsen

It was moved by Councilman Deist, seconded by Sakaguchi, that the Council authorize the Airport Committee to advertise for bids for this year's Airport Improvement Program Funded Project. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

The Municipal Services Director submitted the following eight memos:

City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUTHORIZATION FOR PUBLICATION OF "NOTICE OF PUBLIC HEARING", TO AMEND 1988-1989 FISCAL YEAR BUDGET

It is respectfully requested that the Mayor and Council authorize the publications of a "Notice of Public Hearing", to amend the 1988-1989 fiscal year budget.

The Public Hearing is scheduled for 7:30 P.M., Thursday, July 6, 1989, in the Council Chambers in the Electric Building, at 140 South Capital Avenue in Idaho Falls, Idaho.

Respectfully submitted,  
s/ S. Craig Lords

Councilman Chandler explained the need to hold a hearing to amend the 1988-1989 fiscal Year Budget. It was moved by Councilman Chandler, seconded by Hovey, that authorization be given to publish the notice as requested. Roll call as follows: Ayes, Councilman Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

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City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: AUTHORIZATION TO BID

The Municipal Services Division respectfully requests authorization to advertise and receive bids for an Uninterruptible Power Supply for the AS/400 Computer System.

Respectfully submitted,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Hovey, that authorization be given to advertise for bids as requested. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION AND AWARD OF BID - IDAHO FALLS  
MUNICIPAL AIRPORT RECARPETING PROJECT

Attached is a tabulation of bids for recarpeting the Idaho Falls Municipal Airport.

Municipal Services concurs with the recommendations of the Project Architect and the Director of Aviation to accept the low bid of Wall 2 Wall Carpet/Lumber Dealer Supply, Inc., in the amount of \$49,527.36, which includes Alternate No. 1.

Respectfully submitted,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that this bid be awarded as recommended. Roll call as follows: Ayes, Councilman Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-89-29, DUST COLLECTION SYSTEM

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Attached is the tabulation for Bid IF-89-29, Dust Collection System (Building Maintenance Carpenter Shop).

It is the recommendation of the Municipal Services Division, with the approval of the Attorney's office, to reject all bids received. Authorization is respectfully requested to purchase this system on the open market.

Respectfully submitted,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Hovey, that all bids be rejected and authorization given to purchase on the open market. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: TABULATION AND AWARD OF BID - IDAHO FALLS PUBLIC LIBRARY JUNIOR DEPARTMENT REMODELING PROJECT

Attached is the tabulation of bids for the above-referenced project. Municipal Services in concurrence with Sundberg and Associates, architect for the project, and the Library Director recommend accepting the low bid of Vern Clark and Sons Construction Company, Inc., in the amount of \$49,605.00.

Respectfully submitted,  
s/ S. Craig Lords

There being no questions, it was moved by Councilman Chandler, seconded by Hovey, that this bid be awarded as recommended. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

Mayor Campbell congratulated the Library Board for having the tenacity in seeking funds for this project.

City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: BID IF-89-28, THREE (3) ELECTRICAL CONTROL PANELS

Attached is the tabulation for Bid IF-89-28, Three (3) Electrical control panels for pumps at two different water wells.

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It is the recommendation of the Public Works Division and Municipal Services to accept the low bid of Westinghouse Electric Supply Company, Boise, Idaho, to furnish the electric control panels for a lump sum amount of \$19,365.00, which includes extended warranty.

Respectfully submitted,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that this bid be awarded as recommended. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: RENEWAL OF CERTAIN INSURANCE COVERAGE,  
EFFECTIVE JUNE 30, 1989

It is respectfully requested that the Mayor and Council authorize the renewal of the Airport liability coverage with Associated Aviation Underwriters, who is represented by the local agency of Tandy and Wood. The renewal rate is \$9,800.00, which is \$2,150.00 less than the prior year.

It is further recommended that the Mayor and Council authorize the renewal of the boiler and machinery coverage with Travelers, who is represented by the local agency of Holden-McCarty. The renewal rate is \$7,546.00, which is the same as the prior year.

Respectfully submitted,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council authorize the renewal of these insurance coverages. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls  
June 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: ORDINANCE REVISING PROVISIONS OF CITY CODE,  
PERTAINING TO BILLING FOR WATER SERVICE

Attached for your consideration is an Ordinance prepared by the Assistant City Attorney, relative to billing for water services.

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Municipal Services and the Public Works Division respectfully requests that the Mayor and City Council adopt this Ordinance, which would move the seasonal water charge from the last quarter of the year, to the third quarter of the year.

Respectfully submitted,  
s/ S. Craig Lords

The City Attorney read the following ordinance caption:

**ORDINANCE NO. 1944**

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 4-5-33 THROUGH 4-5-35, CITY CODE, IDAHO FALLS; PROVIDING FOR DISCONTINUANCE OF SERVICE ON DELINQUENT WATER SERVICE ACCOUNTS; PROVIDING FOR ISSUANCE OF STATEMENTS FOR WATER SERVICE ACCOUNTS; ESTABLISHING WATER RATES AND FEES; REQUIRING PERMITS FOR THE INSTALLATION, ALTERATION OR CONNECTION OF WATER SERVICE WITHIN THE CITY AND ESTABLISHING PERMIT FEES; ESTABLISHING A WATER LINE CAPITAL IMPROVEMENT FUND AND PROVIDING FOR DISBURSEMENTS OF SAID FUNDS; PROVIDING PENALTIES FOR VIOLATION OF THE PROVISIONS OF SECTION 4-5-35; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR THE SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THE ORDINANCE; PROVIDING FOR EFFECTIVE DATE OF THE ORDINANCE.

The foregoing ordinance was presented in title. It was moved by Councilman Chandler, 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, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; 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, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

From the Traffic Safety Committee, came the following three traffic recommendations:

**Recommendation No. 1:** It is recommended that the request to reduce the speed limit on Woodruff Avenue, from 9th Street, south to 17th Street, from 35 MPH to 25 MPH be denied. It was moved by Councilman Erickson, seconded by Chandler, that this request to reduce the speed limit on Woodruff Avenue, from 9th Street south to 17th Street, from 35 MPH to 25 MPH be denied. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Chandler, and Erickson; No, none; carried.

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**Recommendation No. 2:** It is recommended the request for diagonal parking on the south side of Energy Drive be denied. It was moved by Councilman Erickson, seconded by Chandler, that this request be denied. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

**Recommendation No. 3:** It is recommended a ten-minute loading/unloading parking space be established on Shoup Avenue, just north of the alley on the west side of Shoup Avenue (in front of the old Scott's Bookstore). It was moved by Councilman Erickson, seconded by Chandler, that this request be approved. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

The City Attorney presented and explained the following captioned ordinance:

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE ENACTING A NEW CHAPTER OF THE CITY CODE REGULATING THE BUSINESS OF MASSAGE ESTABLISHMENTS; DEFINING TERMS; REQUIRING LICENSES FOR ALL PERSONS OPERATING A MASSAGE ESTABLISHMENT OR ACTING AS MASSAGIST; ESTABLISHING CERTAIN EXCEPTIONS; ESTABLISHING A PROCEDURE FOR FILING OF APPLICATIONS AND INVESTIGATION OF APPLICANTS; PROVIDING FOR INVESTIGATIONS OF APPLICANTS; ESTABLISHING A LICENSE FEE; ESTABLISHING QUALIFICATIONS FOR LICENSES; REQUIRING REPORTING OF CHANGES OF ADDRESS; ESTABLISHING CERTAIN OPERATING AND SANITARY REQUIREMENTS; PROVIDING FOR INSPECTIONS OF MASSAGE ESTABLISHMENTS; PROHIBITING OPERATION DURING CERTAIN HOURS; PROHIBITING COMMISSION OF CERTAIN UNLAWFUL ACTS WITHIN A MASSAGE ESTABLISHMENT; ESTABLISHING PENALTIES; PROVIDING FOR SEVERABILITY; AND, ESTABLISHING EFFECTIVE DATE.

The foregoing ordinance was presented in title. It was moved by Councilman Erickson, seconded by Chandler, 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, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; 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, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Nancy Thorsen, President of the local Civitan Club, appeared to thank the Mayor and Council for their cooperation in the construction of the scenic overlook on the Snake River.

There being no further business, it was moved by Councilman Sakaguchi, seconded by Hovey, that the meeting adjourn at 8:10 p.m.; carried.

s/ Velma Chandler  
CITY CLERK

s/ Thomas Campbell  
MAYOR

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