

JUNE 8, 1989

Prior to calling the meeting to order, the Mayor called upon Scout Pat Clayton of Troop 319, 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 Sam Sakaguchi, Ralph Wood, Arthur Chandler, Jr., Wes Deist, and Paul Hovey. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney and all available Division Directors. Absent: Councilman Mel Erickson.

The City Clerk read a summary of the minutes of the last Regular Council Meeting held May 18, 1989. The minutes were approved by the Mayor and Councilmembers.

The Mayor declared open a public hearing, as legally advertised, to consider an appeal from the decision of the Board of Adjustment, concerning a request for a variance which was submitted by John Richardson. He called upon Councilman Wood to conduct the hearing. At the request of Councilman Wood, the City Clerk read this explanatory memo from the Planning and Zoning Administrator:

City of Idaho Falls
June 6, 1989

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: APPEAL FROM THE DECISION OF THE BOARD OF ADJUSTMENT

Attached is a copy of the request for a variance submitted by John and Ann Richardson, 1086 Mojave. They are requesting to construct a 13' X 16' sunroom addition to their existing house. The proposed sunroom will encroach 13' into the required rear yard. The required rear yard in the R-1 zone is 25'.

After examining the facts and discussing the issue, the Board of Adjustment denied the request inasmuch as they felt there was no hardship presented nor information provided that indicated that a lesser encroachment was possible. This Department concurs with the decision of the Board of Adjustment. This matter is now being submitted to the Mayor and Council for consideration.

s/ Rod Gilchrist

Councilman Wood then invited those who may wish to speak concerning this request to be heard at this time.

Mr. John Richardson, the requester, appeared to explain the reasons he has presented the request. He said that others in the neighborhood have made additions to their homes and he could see nothing wrong with his proposal. He said that the near-by neighbors all approve his proposal.

Messrs. Robert Akins and Sterrell Douglas appeared to state that they have no objections to this request. After discussion and review, it was moved by Councilman Wood, seconded by Chandler, that this request be denied. Roll call as follows: Ayes, Councilmen Wood, Chandler, Deist, and Sakaguchi; No, Councilman Hovey; carried.

Bills for the month of May, 1989, were presented after having been properly audited by the Fiscal Committee:

JUNE 8, 1989

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>	<u>ELECTRIC</u>
SERV/MAT: \$	755,910.66	\$ 70,256.64	\$ 45,697.19	\$ 146,917.16	\$3,003,109.80
SALARY:	<u>610,323.27</u>	<u>39,094.66</u>	<u>16,200.26</u>	<u>83,449.85</u>	<u>130,403.46</u>
TOTAL	\$1,366,233.93	\$ 109,351.30	\$ 61,897.45	\$ 230,367.01	\$3,133,513.26

	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN/SEWER</u>	<u>MUN CAP IMP</u>	<u>LIBRARY</u>
SERV/MAT: \$	29,954.58	\$ 38,729.15	\$ 3,106.35	\$ 375.10	\$ 40.665.43
SALARY:	<u>39,534.33</u>	<u>23,946.61</u>	<u>.00</u>	<u>.00</u>	<u>27,670.89</u>
TOTAL:	\$ 69,488.91	\$ 62,675.76	\$ 3,106.35	\$ 375.10	\$ 68,336.32

	<u>BRDG/ART ST</u>	<u>WATER CAP</u>	<u>AMBULANCE</u>	<u>MUN EQUIP</u>	<u>MCS</u>
SERV/MAT: \$	6,947.00	\$ 26,920.50	\$ 32,310.50	\$ 112,319.00	\$ 21,200.00
SALARY:	<u>.00</u>	<u>.00</u>	<u>25,314.96</u>	<u>.00</u>	<u>.00</u>
TOTAL:	\$ 6,947.00	\$ 26,920.50	\$ 57,625.46	\$ 112,319.00	\$ 21,200.00

It was moved by Councilman Chandler, seconded by Hovey, that the Controller be authorized to pay the bills as listed on the computerized print-out. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

Reports for May, 1989 were presented from Division and Department Heads. There being no questions nor objections, these were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for BARTENDER, Clifford Reinke, Mary Miller, Judy Pratt, Janie Jones, Doris Moore, Janet Orvik, Lawauna Macy and Jeannie Neidner; AUCTIONEER, Jack Horton; CONCESSION, I. F. 16th Ward, Catholic Youth Organization; MOBILE ICE CREAM, Uncle Arnies; PRIVATE PATROL SERVICE, Gem State Security & Investment; PRIVATE PATROLMAN, Byron McCuroy; SECOND HAND STORE, Dean's Antiques; TAXI OPERATOR, Daniel Drips; SPRAYING PERMIT, Majestic Auto Body & Glass and Chapples Autobody; FIREWORKS, Kings; DAY CARE INSPECTION, LaRees and Peter Pan; PUBLIC WORKS RIGHT-OF-WAY, J. D. Dayley and Sons, Besor Construction, T & M Contractors and Atwood Concrete Construction; ELECTRICAL JOURNEYMAN, Ronn Alley, Bill Wade, Willard Smith, John Clifford, Greg Wood, Robert Oyler; ELECTRICAL APPRENTICE, Michael Rowe; CLASS D CONTRACTOR, WA, Sheet Metal Systems; CLASS D JOURNEYMAN WA, Verl Chidester; CLASS B BUILDING CONTRACTOR TO TRI STATE SALES, were presented carrying all required approvals. It was moved by Councilman Wood, seconded by Chandler, that these licenses be issued. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Deist, and Hovey; No, none; carried.

The City Clerk asked for Council ratification of the issuance of a NTBCOP BEER license to Western Amusement; TBCOP BEER AND LIQUOR TRANSFERS to Cattle Baron; DANCE HALL and RESTAURANT to Cattle Baron; BARTENDER to Davis Lewis; ITINERANT MERCHANT to Monty's and MOBILE ICE CREAM to Leon Larsen. It was moved by Councilman Wood, seconded by Chandler, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, and Deist; No, none; carried.

The City Clerk asked for Council ratification of the publishing of a legal notice calling for a hearing on June 22nd, 1989. It was moved by Councilman Wood, seconded by Chandler, that the Council ratify the publishing of this legal notice. Roll call as follows: Ayes, Councilmen Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

The following captioned ordinance was read by the City Attorney:

JUNE 8, 1989

ORDINANCE NO. 1943

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 6-1-4, CITY CODE OF THE CITY OF IDAHO FALLS RELATING TO JUMPING FROM STRUCTURES OVER THE SNAKE RIVER; ADOPTING A NEW SECTION PROHIBITING SWIMMING OR BOATING WITHIN DESIGNATED AREA NEAR HYDROELECTRIC FACILITIES; PRESERVING PRIOR ORDINANCE; PROVIDING FOR SEVERABILITY; ESTABLISHING EFFECTIVE DATE.

It was noted that consideration of this ordinance had been recessed from two previous meetings. 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 Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried. The majority of all the members of the Council 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 Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried.

From the City Clerk came this memo:

City of Idaho Falls
June 6, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Velma Chandler, City Clerk
SUBJECT: SALE OF IMPOUNDED VEHICLES

Gentlemen:

I hereby respectfully request authorization to conduct an auction sale to dispose of fifty-five impounded vehicles.

Thank you for your consideration in this regard.

s/ Velma Chandler

It was moved by Councilman Chandler, seconded by Hovey, that authorization be given to conduct an auction sale to dispose of these impounded vehicles. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

This memo from the Electrical Department Manager was then read:

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City of Idaho Falls
June 6, 1989

MEMORANDUM

ATTENTION: Mayor and Council
FROM: Steve Harrison
SUBJECT: PROPOSED UNION PACIFIC RAILROAD AGREEMENT

Attached is a proposed agreement with the Union Pacific Railroad Company for the construction of a powerline crossing for electric service to the recently annexed Anheuser-Busch property.

The cost of this line crossing is a \$1,500.00 one time fee and the Electric Division recommends that the Mayor be authorized to execute the agreement.

s/ Steve Harrison

It was moved by Councilman Hovey, seconded by Wood, that the Mayor be authorized to execute this agreement with the Union Pacific Railroad Company. Roll call as follows: Ayes, Councilman Deist, Hovey, Wood, Sakaguchi, and Chandler; No, none; carried.

The following two memos were presented from the Parks & Recreation Department:

City of Idaho Falls
June 8, 1989

MEMORANDUM

TO: Mayor and City Council
FROM: John Johnson, Director, Parks & Recreation
SUBJECT: REQUEST FOR AUTHORIZATION FOR BID-MAY 24, 1989

The Parks and Recreation Division respectfully requests authorization to get bids for water system and seeding at Community Park.

s/ John Johnson

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

City of Idaho Falls
June 6, 1989

MEMORANDUM

TO: Mayor and City Council
FROM: John Johnson, Director, Parks & Recreation
SUBJECT: REQUEST FOR AUTHORIZATION TO BID

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The Parks and Recreation Division respectfully requests authorization to get bids for storage building at Aquatic Center.

s/ John Johnson

It was moved by Councilman Deist, seconded by Chandler, that the Parks & Recreation Department be authorized to advertise for bids for a storage building at the Aquatic Center. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, and Deist; No, none; carried.

The Planning and Zoning Administrator presented the following two memos:

City of Idaho Falls
June 6, 1989

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: RESIDENTIAL ANTI-DISPLACEMENT AND RELOCATION ASSISTANCE PLAN

It is necessary for the City Council to adopt a Residential Displacement and Relocation Assistance Plan in order to complete the contractual agreements for the Economic Development Grant relative to the Anheuser-Busch project. Although there will be no displacement or relocation involved in this project, this is a requirement of the grant program.

This Plan has been reviewed and approved by the City Attorney. This Department respectfully requests the Mayor and City Council to adopt the Plan and authorize the Mayor and City Clerk to sign.

s/ Rod Gilchrist

It was moved by Councilman Wood, seconded by Chandler, that the plan be adopted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmen Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

City of Idaho Falls
June 6, 1989

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: FAIR HOUSING RESOLUTION

Attached is a copy of a Fair Housing Resolution which is necessary in order to complete the contracts regarding the Economic Development Grant which was recently approved for the extension of the water line to the Anheuser-Busch property.

JUNE 8, 1989

The Resolution essentially says that the City will assist in implementing programs to insure equal opportunity for housing for all persons regardless of race, color, religion, sex, or national origin. This Resolution has been reviewed and approved by the City Attorney.

This Department respectfully requests the Mayor and City Council approve the Resolution authorizing the Mayor and City Clerk to sign.

s/ Rod Gilchrist

R E S O L U T I O N (Resolution No. 1989-03)

WHEREAS, discrimination in the sale, rental, leasing, financing of housing or land to be used for construction of housing, or in the provision of brokerage services because of race, color, religion, sex, or national origin is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law);

WHEREAS, it is the policy of the City of Idaho Falls to implement programs to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, or national origin, and;

WHEREAS, the Fair Housing Amendments Act of 1988 expands coverage to include handicapped persons and families with children;

NOW, THEREFORE, be it resolved that:

1. Within available resources, the City of Idaho Falls will assist all persons who feel they have been discriminated against because of race, color, religion, sex, national origin, handicap or familial status to seek equity under federal and state laws by filing a complaint with the Idaho Human Rights Commission or the United States Department of Housing and Urban Development, Seattle Regional Office Compliance Division.

2. The City of Idaho Falls shall publicize this Resolution and through this publicity shall cause owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

3. The fair housing program of the City of Idaho Falls will include but not be limited to the printing and publicizing of this policy and other applicable fair housing information through local media and community contracts and distribution of posters, flyers and other means which will bring to the attention of those affected, the knowledge of their respective responsibilities and rights concerning equal opportunity in housing.

4. This Resolution shall be in full force and effect immediately upon its adoption and approval.

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PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this
8th day of June, 1989.

s/ Thomas Campbell
MAYOR

ATTEST:
s/ Velma Chandler
CITY CLERK

It was moved by Councilman Wood, seconded by Chandler, that this resolution be approved and authorization given for the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilman Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried.

The Public Works Director submitted the following three memos:

City of Idaho Falls
June 5, 1989

MEMORANDUM

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID AUTHORIZATION I-15 PONDS - IRONWOOD STORM
DRAIN

Public Works requests authorization to advertise and receive bids to install approximately 1,540 lineal feet of 30 inch diameter storm drain pipe, and all other items necessary to complete this project.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the Council give authorization to advertise to receive bids for the water line project as requested. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
June 8, 1989

MEMORANDUM

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: FANNING AVENUE WATER LINE--CHANGE ORDER NO. 1

Attached is proposed change order No. 1 to the contract with H-K Contractors, Inc. for the Fanning Avenue Water Line. The proposed change order in an amount of \$22,437.00 is requested for the rebuilding of the entire street section of Fanning Avenue throughout the project area. The original contract amount will be reduced \$13,150.00 due to the water line trenches not being patched with asphalt as the contract had required.

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Public Works recommends City Council approval and authorization for the Mayor to sign the necessary documents.

Respectfully,
s/ Chad Stanger

Councilman Sakaguchi explained the need for this change order. It was moved by Councilman Sakaguchi, seconded by Deist, that this Change Order No. 1 be approved and the Mayor be authorized to sign the necessary documents. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
June 8, 1989

MEMORANDUM

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: RESOLUTION AND COOPERATIVE AGREEMENT - SOUTH
YELLOWSTONE HIGHWAY

Attached are copies of a proposed resolution and corresponding cooperative agreement between the State of Idaho and the City of Idaho Falls describing the costs and obligations in regard to the improvements planned on South Yellowstone Highway from approximately one-half mile north of Sunnyside Road to approximately one-half mile south of Sunnyside Road.

It is the recommendation of Public Works that the City Council approve the resolution and authorize the Mayor to execute the appropriate documents.

Respectfully,
s/ Chad Stanger

RESOLUTION (Resolution No. 1989-04)

WHEREAS, the Idaho Transportation Department, Division of Highways, hereafter called the State, has submitted an Agreement stating obligations of the State and the City of Idaho Falls, Idaho, for construction of a 1.18 mile section of Interstate Highway 15 Bus.; and

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and

WHEREAS, certain functions to be performed by the State involve the expenditures of funds as set forth in the Agreement; and

WHEREAS, the State can only pay for work associated with the State Highway System; and

WHEREAS, the City is fully responsible for its share of project costs; and

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WHEREAS, it is intended that the project shall be developed and constructed so as to receive federal participation;

NOW, THEREFORE, BE IT RESOLVED:

1. That the agreement for Federal-Air Highway Project F-RRP-6501(36) is hereby approved.
2. That the Mayor and City Clerk are hereby authorized to execute the Agreement on behalf of the City.
3. That duly certified copies of the Resolution shall be furnished the Idaho Transportation Department, Division of Highways.

s/ Thomas Campbell
MAYOR

City Attorney Storer recommended that, if the agreement be approved, it be approved subject to Legal Counsel review. It was moved by Councilman Sakaguchi, seconded by Deist, that the agreement be approved, subject to Legal Counsel review and approval. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Deist, and Hovey; No, none; carried. Authorization was also given for the Mayor and City Clerk to sign the resolution.

The following four memos were presented from the Municipal Services Director:

City of Idaho Falls
June 8, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: TABULATION AND AWARD OF BIDS FOR THE REPLACEMENT OF THE STEPS AT CITY HALL

Attached is the tabulation of bids for the replacement of the steps at City Hall.

It is the recommendation of Municipal Services and Harper Leavitt Engineering, Inc., project engineers, to accept the low responsive bid of Humphreys, in the amount of \$37,603.95, for replacement of the steps at City Hall. This amount includes all items except the removal of curb and gutter, sidewalk, and approaches.

Respectfully submitted,
s/ S. Craig Lords

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

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City of Idaho Falls
June 8, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: SNAKE RIVER PARKWAY RESTROOM PROJECT - BUILDERS, INC. CHANGE ORDER NO. 1

Attached is a copy of Builder, Inc.'s final billing which includes itemized Change Order No. 1, in the amount of \$258.00, for additional labor and materials for the above referenced project. The additional work was requested by the Project Architect/Planner, Planning & Zoning Division, and Municipal Services. The work has also been verified and approved by the same parties.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that the change order be approved and the Mayor authorized to sign. Roll call as follows: Ayes, Councilmen Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

City of Idaho Falls
June 8, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: FIELDING CEMETERY PROPERTY - LEASE AGREEMENT EXTENSION

Attached are three copies of an extension agreement with Richard Ottley for the City owned farm ground located at Fielding Memorial Cemetery. Said document has been approved by Joe Burgess, Assistant City Attorney, and Municipal Services recommends approval of the extension agreement.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Wood, that this agreement be approved. Roll call as follows: Ayes, Councilmen Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls
June 8, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CONSENT TO ASSIGNMENT - SCIENTECH LEASE AGREEMENT

JUNE 8, 1989

Attached are copies of a Consent to Assignment and executed copies of the assignment agreement for Scientech's ground lease in the Airport Industrial Park, in favor of West One Bank.

All documents have been reviewed and approved by the City Attorney.

Municipal Services respectfully requests authorization for the Mayor to execute the consent to assignment.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council approve this lease agreement and authorize the Mayor to execute the consent to assignment. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

There being no further business, it was moved by Councilman Wood, seconded by Hovey, that the meeting adjourn at 8:00 O'clock p.m., carried.

s/ Velma Chandler
CITY CLERK

s/ Thomas Campbell
MAYOR

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