

FEBRUARY 23, 1989

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, February 23, 1989, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Scout Alex Pomo 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, Ralph Wood, Art Chandler, Jr., Melvin Erickson, and Wes Deist. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney; and all available Division Directors.

The Mayor honored Eagle Scout Troy Hiltbrand for achieving the Eagle Scout Award. He presented Troy with a Certificate of Appreciation for having achieved this award, after which Troy 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 City Clerk read a summary of the minutes of a Regular Council Meeting held February 9 and a Special Meeting held February 15, 1989. The Mayor and Councilmembers approved the minutes of both meetings.

Mayor Campbell then invited Councilman Erickson to handle the next three items on the Agenda.

Councilman Erickson then asked Police Chief Montague to introduce the following new Police Department employees: Patricia Christensen, Lori VanVliet, Wendy Moore, and Kevin Pettingill. These employees then received a handshake from all City Officials around the Council Table and a welcome to the City Employee fold.

Councilmen Erickson then asked Sergeant Jim Coddling and the field training officers who were present to come forward at this time. Coddling presented the Council with a new field training manual that these officers have written on their own time. This manual has been accepted by the Field Training Officer's Association and contains all the outlines that the field training officers use for instructing, documenting the training that is given, and contains forms for daily evaluations. It has taken eight officers about one and one-half years to compile. Councilman Erickson congratulated and thanked these officers for writing this manual. It was moved by Councilman Erickson, seconded by Wood, that this manual be accepted as the official field training manual for the City of Idaho Falls. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

Police Chief Montague then reviewed the following letter and an officer contact evaluation form:

Dear Concerned Citizen:

One of the goals of the Idaho Falls Police Department is to serve the citizens of the community in a professional and courteous manner. In order to meet this goal, I feel feedback from the citizens whom officers contact during the course of their duties, is extremely important. Therefore, I respectfully request the completion and return of the enclosed questionnaire with regards to your recent contact with an officer of our department. The questionnaire is for our department's internal use; to improve upon, change, and develop new training programs; and, assist with the continued upgrading of our operating procedures and regulations.

Although the questionnaire is completely voluntary, your reactions and remarks are of great importance and will be taken seriously; therefore, please take the few minutes necessary to complete the form and return it to me in the

enclosed, self-addressed stamped envelope. There is a place for your name, address, and telephone number which may be completed or left blank. The

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information gathered is confidential, and once again, only used in connection with training and planning.

I am thanking you in advance for your input and assistance as our Police Department is only effective when the citizens we serve believe we are effective. Assuring you of my concern in matters of mutual interest, I am,

Sincerely yours,
s/ Monty G. Montague
Chief of Police

Chief Montague stated that the evaluation form is not meant to be a disciplinary tool, the purpose is to provide general information for better service to the public.

Annexation Proceedings were then conducted for Mill Run Addition, Division No. 3. Councilman Wood asked the City Clerk to read the following memo from the Planning and Building Administrator:

City of Idaho Falls
February 21, 1989

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: ANNEXATION AND FINAL PLAT - MILL RUN ADDITION,
DIVISION NO. 3

Attached is a copy of the Final Plat, the Annexation Agreement, and the Annexation Ordinance for the above-described subdivision.

This is a 28 lot, single-family, residential subdivision, located on 9 1/2 acres. The Developer is requesting R-1 zoning.

At a recent meeting of the Planning Commission, this matter was considered and, at that time, the Commission unanimously recommended approval of Final Plat, annexation to the City, and initial zoning of R-1. This Department concurs with that recommendation. This matter is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

Planning and Zoning Administrator Gilchrist located the subject area on the wall and further explained the request.

There being no one to appear either for or against this proposal, it was moved by Councilman Wood, seconded by Deist that the final plat of Mill Run Addition, Division #3 be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey and Sakaguchi; No, none; carried.

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

The City Attorney read the following ordinance caption:

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ORDINANCE NO. 1930

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (Mill Run Addition, Division No. 3)

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

The mayor then declared open a public hearing, as legally advertised, to consider the initial zoning of the newly annexed area, and called upon Councilmen Wood to conduct the hearing. Councilman Wood invited anyone who wished to speak to be heard at this time. No one appeared. It was moved by Councilman Wood, seconded by Deist, that the initial zoning of Mill Run Addition, Division #3 be established as R-1, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in his office. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

The Mayor asked the City Attorney to read the following ordinance caption:

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF RIVER PARKWAY WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE PORTION OF SAID STREET; RESERVING SAID PORTION FOR OTHER PUBLIC USES; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

Councilman Deist asked if Willard Wood, owner of the Westbank facilities, was present this night. Mr. Wood was not present. Councilman Deist then invited anyone in the audience that may have written information that might be pertinent to this issue to present it to the City Clerk at this time.

Mr. George Watkins, Jr. appeared to state that, since the last meeting, when the vote was taken to close the road, he has prepared a petition. He read the following, and noted that there were approximately 215 signatures on the petition.

While the following citizens of Idaho Falls, support the improvement of the "Green Belt" around the Snake River in downtown Idaho Falls. . . We take a firm stand in opposition to the proposed closure of River Parkway. This scenic drive has given our citizens and our guests the opportunity to enjoy the

beauty of our City. We call on our elected officials to leave River Parkway open to all the public.

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Mr. Charles White appeared in favor of the road closure and presented the following petition carrying approximately 132 signatures:

We have signed this petition on the attaches sheets as residents of Idaho Falls, that are in favor of closing the portion of River Street as outlined by you at the City Council meeting held on February 9, 1989.

We believe that the formation of this Green Belt Recreational area will benefit most residents of our City.

s/ Concerned Citizens

The foregoing ordinance was presented in title. It was moved by Councilman Deist, seconded by Erickson, 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 Sakaguchi, Wood, Erickson, and Deist; No, councilman Chandler and Hovey; 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 ON ITS FIRST AND SECOND READINGS?" Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Erickson, and Deist; No, Councilman Chandler and Hovey; carried.

License applications for AUCTIONEER, Jack L. Winchester, Karl Hossner; BARTENDER, Jeannie Marie Rowberry, Veronica D. Galanis, Sandra T. Moulton, Glenda M. Bates, Irene Herrera, Leland J. Johnson; DELIVERY SERVICE, Friendly Delivery Service; RESTAURANT, Villa Roma Pizzeria; PRIVATE PATROLMAN, William F. Rigoulot; PUBLIC RIGHTS OF WAY, Robert V. Burggraf Company, Inc., Asphalt Maintenance, Inc., Bateman Brothers Construction Company, Loveland Construction Company, Inc., Flynn Construction, Inc., SPRAYING/DIPPING PERMIT, John Brothers, Quality Auto Body; ELECTRICAL CONTRACTOR, Norris Electric, J.M. Electric, Hal P. Ricks Electric; JOURNEYMAN ELECTRICIAN, Tony Botero, Brett J. White, David Norris, Carey R. Heaton, Hal P. Ricks, Rodney Tirrell; APPRENTICE ELECTRICIAN, Joseph D. Cox with Arco Electric, Mitch C. Day with Oakey Electric, Tom Brewington with Arco Electric; MASTER PLUMBER, PacWest Plumbing, Eagle Plumbing; JOURNEYMAN PLUMBER, Howard G. Hill; APPRENTICE PLUMBER, David Morrow with First Street Plumbing; HEATING & COOLING JOURNEYMAN, Charles P. Allen, Howard G. Hill; BUILDING CONTRACTOR, Arave Construction Company Inc., and Commercial Development, Inc. were presented, carrying all required department approvals. It was moved by Councilman Erickson, seconded by Wood, that these licenses be issued. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

A TO BE CONSUMED ON THE PREMISES BEER license application for the Parlours was presented carrying all required approvals. It was moved by Councilman Erickson, seconded by Chandler, that this license be issued. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

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The City Clerk asked for Council ratification of the issuance of a PHOTOGRAPHER license to Parkway Studios International, Inc. and a TAXI OPERATOR license to Kenneth Heyrend. It was moved by Councilman Erickson, seconded by Wood, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The following memo from the Electric Department Manger, was then read:

City of Idaho Falls
February 21, 1989

MEMORANDUM

ATTENTION: Mayor & Council
FROM: Steve Harrison, Electric Division Director
SUBJECT: UP&L LETTER AGREEMENT

Attached is a proposed Letter Agreement between Utah Power & Light Company (UP&L) and the City of Idaho Falls. This is essentially a mutual aid agreement whereby the city and UP&L may exchange electrical power and energy over each other's facilities during periods of emergency. There is no cost involved. This Agreement has been reviewed by the City Attorney and found to be satisfactory. The Electric Division recommends execution of this Agreement.

s/ G. S. Harrison

Councilman Hovey reviewed the need for this Agreement. It was moved by Councilman Hovey, seconded by Wood, that this Agreement be executed by the Mayor. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

From the Planning and Building Department, came this memo:

City of Idaho Falls
February 21, 1989

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: ADOPTION OF THE 1988 UNIFORM BUILDING CODE

Attached is a copy of an Ordinance adopting the 1988 Uniform Building Code. The Uniform Building Code is a nationally recognized code which is revised every three (3) years to reflect changes and trends in the building industry.

The primary changes in the new ordinance are as follows: One chapter has been greatly expanded which deals with hazardous materials and gives us detailed guidance in handling these matters; and, the plan check fee for commercial buildings has been increased to cover the cost for the same.

This Department respectfully requests the Mayor and City Council adopt the Ordinance on all three readings.

s/ Rod Gilchrist

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Councilman Chandler asked if the Fire Chief has reviewed this ordinance to see if it addresses the use of wood foundations that have been impregnated with different types of materials and, under different fire conditions, may give off toxic gases.

Fire Chief Call answered by saying that he has not specifically reviewed this code to see if it addresses these problems. His Department is currently reviewing the new edition of the Fire Code which should address problems of this nature.

The City Attorney read the following ordinance caption:

ORDINANCE NO. 1931

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 4-11-1 THROUGH 4-11-3, CITY CODE, IDAHO FALLS, IDAHO; ADOPTING THE 1988 EDITION OF THE UNIFORM BUILDING CODE; REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA AND MAINTENANCE OF ALL BUILDINGS AND STRUCTURES IN THE CITY; ADOPTING THE 1986 EDITION OF THE ONE AND TWO FAMILY DWELLING CODE; REGULATING THE FABRICATION, ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, LOCATION, AND USE OF DETACHED ONE AND TWO FAMILY DWELLINGS, THEIR APPURTENANCES AND ACCESSORY STRUCTURES IN THE CITY; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTIONS OF FEES THEREFOR; PROVIDING FOR PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY OF THE SECTIONS AND SUBSECTIONS OF THIS ORDINANCE; PROVIDING FOR THE EFFECTIVE DATE OF THE ORDINANCE.

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

From the Public Works Director, came this memo:

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City of Idaho Falls
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ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: KOESTER FARM PURCHASE/SLUDGE STORAGE AND
DISPOSAL PROJECT

Attached are copies of a proposed sales agreement between the City of Idaho Falls and members of the Koester family for the purchase by the City of the Koester farm located near the City of Idaho Falls Wastewater Treatment Facility. The proposed agreement, prepared by the City Attorney, sets forth the conditions for the purchase of approximately 139 acres of real property and improvements for a purchase price of \$446,423.00.

The purchase of this property is proposed in conjunction with the design and construction of the Sludge Storage and Disposal Project at the City's Wastewater Treatment Facility.

Public Works recommends approval of this purchase and authorization for the Mayor to execute the necessary documents.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that authorization be given for the purchase of this property and the Mayor to execute the necessary documents. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

This memo from the Municipal Services Director was then received:

City of Idaho Falls
February 22, 1989

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Service Director
SUBJECT: AIRPORT FARM LEASE - DIXON BROTHERS

Attached are copies of a proposed Lease Agreement between the City of Idaho Falls and Dixon Brothers, for City owned farm ground located at Fanning Field.

The proposed lease agreement has been approved by the Assistant City Attorney and the Airport Director.

Municipal Services respectfully requests that the City Council approve this lease and authorize the Mayor to sign said lease.

Respectfully submitted,
s/ S. Craig Lords

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

From the Traffic Safety Committee, came this traffic recommendation:

Request for stop signs on 4th and Higbee along with the following safety precautions be made: It is recommended that appropriate advanced warning school zone signs and speed signs be placed where appropriate on 5th Street, west of Emerson; and on 5th Street between Emerson and Higbee; on 4th Street between Holmes and Higbee; and Higbee and Emerson; that the word "SCHOOL" be painted on 4th Street on the Asphalt east of Higbee and the request for the stop sign on the Northwest corner be denied as it does not meet warrant. Councilman Erickson, reviewed the request. It was moved by Councilman Erickson, seconded by Chandler, that the recommendation be approved as stated in the memo. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Mayor Campbell stated that the terms of Wallace Burns and Ken Cunnington on the Board of Adjustment are expiring and he has re-appointed both gentlemen for another five years. It was moved by Councilman Wood, seconded by Chandler, that these re-appointments be confirmed. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

Mayor Campbell stated that the term of Merlin "Salt" Alderson to the Planning Commission has expired and he had re-appointed him for another five-year term. It was moved by Councilman Wood, seconded by Deist, that this re-appointment be confirmed. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Councilman Hovey, on behalf of the Mayor and other Councilmembers, gave a special vote of thanks to all City employees who worked outside during the recent extreme cold weather.

There being no further business, it was moved by Councilman Erickson, seconded by Sakaguchi, that the meeting adjourn at 8:15 p.m.; carried.

s/ Velma Chandler
CITY CLERK

s/ Thomas Campbell
MAYOR
