

JUNE 9, 1988

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, June 9th, 1988, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Doug Pruett 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 Wes Deist, Paul Hovey, Sam Sakaguchi, Ralph Wood, and Arthur Chandler, Jr.; Absent: Councilman Melvin Erickson. 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 May 19, 1988. The minutes were approved by the Mayor and Councilmembers.

Mayor Campbell honored Eagle Scout Darrell Holm. He congratulated Darrell for his extraordinary ability in the creation of a laser. He wished him well in his future years and presented Darrell with a certificate of appreciation for a job well done. Darrell 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 declared open a public hearing, previously recessed until this night, to consider an appeal to a Board of Adjustment decision on a request for a variance submitted by the George Watkins' family. The Mayor called upon Councilman Wood, Chairman of the Planning & Zoning Committee to conduct the hearing. At the request of Councilman Wood, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
June 7, 1988

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: APPEAL TO MAYOR AND COUNCIL FROM BOARD OF
ADJUSTMENT DECISION - 650 WEST BROADWAY

Attached is a copy of an appeal from a decision of the Board of Adjustment. The request for a Variance has been submitted by the George Watkins' family. They are requesting to build a canopy adjacent to an exiting tire shop. This canopy would encroach eight and one-half feet (8 1/2') into the required thirty foot (30') setback.

This matter was previously considered by the City Council. At that time, the petitioner was requesting to build the canopy eight and one-half feet (8 1/2') from the property line. The current proposal would be twenty one and one-half feet (21 1/2') from the property line.

The Board of Adjustment recently considered this matter and denied the request. It was the general consensus of the Board, that to allow such a variance to the setback requirement would be highly precedent setting and would also be in direct contradiction to the intent of the Ordinance. Also, it was the Board's contention that development along the boulevard would be most beneficial if it were done in compliance with the Ordinance and/or result in an upgrading of the area in general.

This matter is now being submitted to the Mayor and Council for consideration.

s/ Rod Gilchrist

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Councilman Wood then invited anyone present who wished to speak in favor of this request to be heard at this time.

Dane Watkins appeared representing the George Watkins' family. He said that he appreciated the work that was accomplished on the widening of Broadway, but that project created a hardship to a tenant of theirs, Mr. Glen Frank, who operates a tire business at 650 W. Broadway. A canopy was built adjacent to the tire shop which extends into the required setback and, therefore, is against City Code. He asked the Council to approve a variance to the Code so that the canopy can be retained and be a benefit to the tire operation in inclement weather. He said that he felt this is a "hardship" situation whereby the Council could allow this variance and not set a precedent for future requests of this nature. He fears he will lose his tenant if the variance is not granted.

Mr. Glen Frank, the tenant, appeared to state that the canopy is necessary in his business to provide protection from the weather and it would be a hardship to his business to operate without it.

Upon a request from Councilman Wood, the City Attorney stated that the loss of property to the widening project is not a hardship in itself. A hardship may be determined if the widening created a parcel which is too narrow, too shallow or improperly shaped for use. He said that, if the Council granted a variance without determining that a hardship does exist, it could set a precedent from other landowners.

Mr. Bill Powell, 125 Hatch Drive, appeared briefly to ask, if the structure for which the petitioner is seeking a variance, is already in place, and if so, was a building permit obtained prior to it's construction. The City Planner answered that the framework for the structure is there and no permit was obtained.

After discussion, it was moved by Councilman Wood, seconded by Deist, that this request for a variance be denied. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The Mayor then declared open a public hearing to consider a request for placement of a mobile home to be used as a temporary classroom at Temple View School. He asked Councilman Wood to conduct the hearing. At the request of Councilman Wood, the City Clerk read the following memo:

City of Idaho Falls
June 7, 1988

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: REQUEST FOR PLACEMENT OF TEMPORARY
CLASSROOM TEMPLE VIEW ELEMENTARY SCHOOL

Attached is a copy of a variance request submitted by School District No. 91. They are requesting placement of a mobile home to be used as a temporary classroom adjacent to Temple View Elementary School.

This Department has received no objections to this request. We, therefore, recommend approval of the variance for a period not to exceed one (1) school year.

s/ Rod Gilchrist

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There being no one to appear on this issue, it was moved by Councilman Wood, seconded by Deist, that this variance be allowed for a period not to exceed one school year. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

Mayor Campbell then declared open a public hearing, legally advertised to be held this night, to consider an appeal to a Board of Adjustment decision and submitted by Gary Pullen. Councilman Wood stated that the petitioner had withdrawn his request, therefore, the hearing would not be held at this time.

Annexation Proceedings were then conducted for Ivan's Acres Addition, Division No. 4. The following memo from the City Planner was presented and read:

City of Idaho Falls
June 7, 1988

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: FINAL PLAT, ANNEXATION, AND INITIAL ZONING OF
IVAN'S ACRES ADDITION, DIVISION NO. 4

Attached is a copy of a Final Plat of the above-described property. This subdivision is located north of First Street, east of Hitt Road, and contains approximately 11.2 acres and 26 residential lots.

This matter was recently considered by the Planning Commission and, at that time, it was recommended that the property be annexed with an initial zoning of R-1 and the Final Plat be approved. This Department concurs with that recommendation. It is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The City Planner located the subject area on a map on the wall and further explained the request. There being no questions nor comment, it was moved by Councilman Wood, seconded by Deist, that the Council accept the Final Plat of Ivan's Acres Addition, Division No. 4 and authorize the Mayor, City Clerk, and City Engineer to sign. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

It was then moved by Councilman Wood, seconded by Deist, that the Annexation Agreement for Ivan's Acres Addition, Division No. 4 be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, and Deist; No, none; carried.

The City Attorney read the following ordinance caption:

ORDINANCE NO. 1904

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. (IVAN'S ACRES ADDITION, DIVISION NO. 4)

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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 Wood, Sakaguchi, Chandler, 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, Deist, and Hovey; No, none; carried.

The Mayor then declared open a public hearing to consider the initial zoning of the newly annexed area.

Ms. Kay Snyder, 926 8th Street, appeared representing the American Association of University Women, to ask the City Officials to give consideration to East-West direction of streets in newly developed areas which will provide for the use of solar heating and warmer or cooler homes from the sun's rays. It was explained to Ms. Snyder that the City has made and is continuing investigations into the use of solar heating in this area, but it has been proven that this type of heating is not to practical in this area.

It was moved by Councilman Wood, seconded by Deist, that the initial zoning of Ivan's Acres Addition, Division #4 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 Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
June 7, 1988

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT, ANNEXATION AND INITIAL ZONING OF MILL RUN ADDITION, DIVISION #2

Attached is a copy of the final plat of Mill Run Addition, Division No. 2. This plat is located adjacent to and on the north side of Mill Road and westerly of Bellin Road. It is proposed to be a single-family residential development. The plat contains approximately 16 1/2 acres and 30 lots.

The Planning Commission, earlier this year, considered this matter and, at that time, recommended annexation of the property, approval of the final plat and initial zoning of R-1. This Department concurs with that recommendation. It is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

The City Planner located the subject area on a map of the wall and further explained the request. Councilman Hovey asked the Public Works Director if the surface run-off problem

in this area has been solved? Public Works Director Stanger explained that this has been accomplished.

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Mr. Bob John, 2520 South, 35 West, in the New Sweden area, appeared to state that he and his wife own the adjacent farm to this property. He said that his only concern about this annexation is that proper storm drainage has been provided.

There being no further comment, it was moved by Councilman Wood, seconded by Deist, that the final plat of Mill Run Addition, Division #2 be accepted and the Mayor, City Clerk and City Engineer be authorized to sign.

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

ORDINANCE NO. 1905

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. 2)

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 Wood, Chandler, 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 Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried.

The Mayor then declared open a public hearing to consider the initial zoning of the newly annexed area. No one appeared either for or against this zoning. It was moved by Councilman Wood, seconded by Deist, that the initial zoning of Mill Run Addition, Division #2 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 Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

At the request of Mayor Campbell, the City Attorney read the following captioned ordinance which had been passed on its first reading only at the Council Meeting on May 19, 1988:

ORDINANCE NO. _____

AN ORDINANCE ENACTING CHAPTER 5, TITLE 7, CITY CODE, CITY OF IDAHO FALLS, IDAHO; STATING THE PURPOSE OF THE CHAPTER, ESTABLISHING FIRE SAFETY REQUIREMENTS FOR DAY CARE FACILITIES WITHIN THE CITY; DEFINING TERMS; PROVIDING FOR FIRE SAFETY INSPECTION AND CERTIFICATION OF DAY CARE

FACILITIES; PROVIDING FOR SEVERABILITY OF
THE SECTIONS OF THIS ORDINANCE; PROVIDING
FOR EFFECTIVE DATE OF ORDINANCE.

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Attorney Storer explained that the State Legislature had recently passed a comprehensive day care licensing scheme. This ordinance, if adopted, would only implement that licensing scheme adopted by the State insofar as that section in the State Code which requires fire safety inspections. This ordinance would not regulate the operations of day care facilities; it would only establish a procedure for conducting fire safety inspections as requested by the operator of the facility. The State will not issue a license until a fire safety inspection has been completed.

Ms. Dee Hill, President of the League of Women voters, presented the following statement:

Statement of the League of Women Voters of Idaho Falls
P. O. Box 2096
Idaho Falls, Idaho 83403
523-0178

HEARING ON FIRE SAFETY REQUIREMENTS FOR DAY CARE FACILITIES
JUNE 9TH, 1988

The League of Women voters of Idaho Falls urges you not to adopt "An Ordinance enacting Chapter 5, Title 7, City Code, City of Idaho Falls, Idaho establishing fire safety requirements for Day Care Facilities within the City..." as currently written since this ordinance does not sufficiently address standards and precautions necessary for the safety of children receiving day care.

The League of Women Voters of Idaho Falls believes that all children in the care of non-relatives outside the home deserve to be adequately protected by licensing standards. To achieve this objective, the League believes that recognized applicable national fire and building codes should be the foundation of any ordinance for the certification of Day Care Facilities. We have identified the following as areas of particular concern, and hope you will take our position into account before adopting fire safety requirements with regard to Day Care Facilities and Centers.

FIRST: We object to the fact that "the standards set forth in this Chapter are not intended to provide for a level of fire safety that would meet any nationally recognized standards". These standards are the product of extensive research and painstaking analysis of data obtained under controlled conditions and of actual disasters that have already occurred. To ignore them is to take a cavalier attitude toward the lives of our children. (Sec. 7-5-1)

SECOND: We feel that Sections 7-5-2 and 7-5-9 are deficient because the terms "Adult" and "Staff" are never precisely defined. We wish to alert you to the possibility that each adult on the premises of a Day Care Facility located in a home may not be competent either physically or mentally to assist in ensuring the safety of children, in fact, they may require special help themselves. Elderly, disabled, or incapacitated adults can and do reside in family homes, but they should not be eligible for consideration when computing the child-staff ratio. If an individual cannot or will not ordinarily perform the duties of a caregiver, this person should not be counted when computing this ratio. The policies of our local hospital and free-standing emergency medical clinics state that minors are unable to give consent to proceed with medical treatment for themselves or for others in most cases. It seems appropriate to define an "Adult" as one who is at least 18 years of age,

and to require an "Adult" to be present at all times the Day Care Facility is operated.

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THIRD: The League suggests that Section 7-5-3-i is amended to address minimum window well dimensions. Windows may be large enough but the window wells too small to facilitate speedy evacuation.

FOURTH: The League believes that Section 7-5-6 should be expanded to require that emergency phone numbers be posted near the telephone. House numbers should be plainly visible and legible from the street and contrasting with their background.

FIFTH: We suggest that Section 7-5-8 be expanded to clearly spell out how the storage of flammable materials present fire hazards such as Sections 10 and 11 of the Pocatello Day Care Regulation. A Copy is attached.

There is no mention of the hazards associated with smoking. We recommend that smoking be banned or restricted in Day Care Facilities and Centers during hours of operation.

SIXTH: The League acknowledges that each Day Care Facility is unique, and agrees that the Fire Inspector needs to have the tools to address a situation that may be peculiar to just one location, however, the Inspector should be required to enforce "Any applicable provisions of the Uniform Fire Code or Uniform Building Code as adopted by the City" in all cases, not merely if he or she wants to. Any situation requiring additional clarification should be submitted to the City Fire Marshall, and his/her interpretation and recommendation considered final in these cases. (Sec. 7-5-10-a)

SEVENTH: The League feels that no fire safety code governing Day Care Facilities is complete without the requirement that emergency evacuation plans be submitted for approval prior to the issuance of a license, and that self-conducted fire drills and safety inspections be required monthly. Severe weather conditions should be the only allowable reason to postpone fire drills, and a record of each fire drill should be maintained on the premises of the Day Care Facility. The goal of each fire drill should be to achieve the complete evacuation of said Facility in two minutes or less. Day care providers should attempt evacuation from various locations of said Facility so as to acquaint themselves with the difficulties and obstacles present in these locations. School age children, nursing home patients, and even the convicted felons in our penal institutions are afforded this protection under the Idaho Safety Code (Section 103.iii). Shouldn't our infants and young children be similarly protected?

In conclusion, The League of Women Voters of Idaho Falls realize that it is impossible to render a place so that it is totally free from risk, but feels it is the responsibility of persons enacting any kind of fire safety ordinance to follow applicable guidelines established by nationally recognized organizations. We entrust the lives of our children to you, our elected officials, because only you have the authority to enact ordinances that adequately address their safety. Most people, including day care providers, require guidance when it comes to fire safety, and most hazards exist in a day care environment because of oversight or ignorance, not deep seated defiance. We require guidelines to develop awareness and improve the basic safety of children.

s/ Dee Hill

President, League of
Women Voters

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Ms. Hill stated that, in her opinion, the State requirements for day care facilities are not adequate and asked the City to make additional requirements.

Ms. Cindy Logan, 847 Buckboard Lane, appeared to address some items of concern that she found when examining the proposed ordinance. Some of the things she addressed were, who is a child and who is an adult?; occupancy load; dining area capacity; emergency egress; sleeping rooms; family members being listed as staff; duties of Fire Chief, and flammable materials. She said that she feels that many items in the ordinance should be addressed more clearly.

Ms. Patty Anderson, 1053 Pacific St., appeared to state that she feels that it is a mistake for the City to refuse to accept the responsibility of day care licensing. She feels that the fire code covers the construction of the building and does not directly address the problems of twelve or so children in one persons care in a home. In her opinion, the proposed ordinance has no "teeth" for enforcement.

During further discussion, it was agreed that all interested persons should have the opportunity for proposals and then a new ordinance drafted that would, possibly, address more fully these needs and suggestions.

Kay Snyder, 926 8th Street, appeared to suggest that a task force be organized to review all proposals and suggestions, and then possibly, draft an ordinance.

Councilman Deist suggested that the proposed ordinance be adopted this night and then amended or repealed later, to allow for licensing of day care facilities in the interim period. Some of the Councilmen felt that the Fire Code is being enforced adequately at the present time and this, in itself, gives protection to all businesses as residences in the City. They felt that the parents and operators should control the operation and safety of day care facilities. After much discussion, it was moved by Councilman Wood, seconded by Deist, that this ordinance be passed on its' second reading, and consideration be given to the suggestions made this night before adopting an ordinance for day care facilities. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

Mr. Kevin Killian, Director of Coop Wilderness Handicapped Outdoor Group of Idaho Falls appeared to ask for assistance in finding a facility from which they may carry on this operation and activities. The Councilmembers gave several possible locations for Mr. Killian to pursue.

Bills for the month of May, 1988, were presented after having been audited by the Fiscal Committee:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT:	\$ 423,070.05	\$ 15,402.10	\$ 36,817.42	\$ 107,594.90
SALARY:	<u>564,350.69</u>	<u>34,980.65</u>	<u>14,031.16</u>	<u>77,197.27</u>
TOTAL:	\$ 987,420.74	\$ 50,382.75	\$ 50,848.58	\$ 184,792.17
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP</u>
SERV/MAT:	\$3,047,152.10	\$ 14,410.70	\$ 16,129.77	\$ 5,588.18
SALARY:	<u>123,782.21</u>	<u>36,551.94</u>	<u>22,079.37</u>	<u>.00</u>
TOTAL:	\$3,170,934.35	\$ 50,962.64	\$ 38,209.14	\$ 5,588.18
	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>AMBULANCE</u>	<u>MUN EQUIP</u>
SERV/MAT:	\$ 32,005.57	\$ 12,950.00	\$ 16,864.04	\$ 64,974.00
SALARY:	<u>24,906.56</u>	<u>.00</u>	<u>24,079.93</u>	<u>.00</u>
TOTAL:	\$ 56,912.13	\$ 12,950.00	\$ 40,943.97	\$ 64,974.00

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	<u>MCS</u>	<u>CITY TOTAL</u>
SERV/MAT: \$	14,500.00	\$3,807,458.87
SALARY:	.00	921,959.78
TOTAL: \$	14,500.00	\$4,729,418.65

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

Monthly reports from Division and Department Heads were presented. accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for BARTENDER, Cathy L. Taber, Cheryle C. Padgen, MerriBeth Parris, Gary Paul Duenes, Debi Elizabeth Burkett, Carla Lynn Howard; GROCERY, Searle's Fast Lane; ICE CREAM, Christopher's Ice Cream Cart; CATERING, Babe's Bakery & Corissanterie; ITINERANT MERCHANT, Marlen Georgia DBA Frontier House; MOTEL, Shilo Inn; PHOTOGRAPHER, Glenn Nelson Studio; SNACK BAR, Diamond Concessions, Inc., John Adams Quick Stop #1; RESTAURANT, Babe's (Town Square Mall); ELECTRICAL CONTRACTOR, Mountain West Electric, Electric Construction & Sales, Inc., Elkhorn Electric; JOURNEYMAN ELECTRICIAN, Bob Chandler, Kim Grover, Blane Robbins, William A. Chase, Brett J. White; APPRENTICE ELECTRICIAN, Guy Steadham with Arco Electric; MASTER PLUMBER, K & H Plumbing, Olson Plumbing & Heating; JOURNEYMAN PLUMBER, Donnie A. Olson, Frank C. Kunz; APPRENTICE PLUMBER, Wade M. Armstrong with K & H Plumbing; SPRINKLING SYSTEM INSTALLER, R & R Sprinkler; JOURNEYMAN SPRINKLING SYSTEM INSTALLER, Andy Richardson; BUILDING CONTRACTOR, Sargent Construction and Gregory Construction (upgrade from Class C to Class B) were presented, carrying all required Department approvals. It was moved by Councilman Wood, seconded by Deist, that these licenses be issued. Roll call as follows: Ayes, Councilmen Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried.

A NOT TO BE CONSUMED ON THE PREMISES BEER license application for Searle's and a TO BE CONSUMED ON THE PREMISES BEER LICENSE application for Diamond Concessions were presented. These applications carried all required approvals. It was moved by Councilman Wood, seconded by Deist, that these beer licenses be approved and issued. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The City Clerk asked for Council ratification of the issuance of BARTENDER permits to Marsha L. Stearns, Kelli R. Johnson, Wanda L. Ferguson, Rhett McNett, Michelene Valerie Harast, Johnny M. Storer, April LaDawn Summers, Robert S. Jones; ITINERANT MERCHANT license to Lamont G. Howell. It was moved by Councilman Wood, seconded by Deist, that the Council ratify these previous actions. 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 legal notices calling for two of the hearings held this night. It was moved by Councilman Wood, seconded by Deist, that the Council ratify the publishing of these legal notices. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Deist, and Hovey; No, none; carried.

The City Clerk requested Council authorization to publish a legal notice calling for a public hearing on June 21st. It was moved by Councilman Wood, seconded by Deist, that the requested authorization be given. Roll call as follows: Ayes, Councilmen Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried.

From the Airport Manager, came this memo:

JUNE 9, 1988

City of Idaho Falls
May 18, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: ENGINEERING AGREEMENT WITH ELLSWORTH
ENGINEERING

Ellsworth Engineering has proposed to perform the engineering services to construct International Way from Skyline Drive to Aeromark area at the airport.

The Engineering Agreement and the road construction will be funded by a 90% grant from the Federal Aviation Administration.

The Engineering Agreement is on a time and materials basis, not to exceed \$39,000.00.

The Agreement has been reviewed by the City Attorney and the Federal Aviation Administration.

The Airport Committee recommends that the Mayor and Clerk be authorized to execute the Agreement.

s/ James H. Thorsen

There being no questions nor comment, it was moved by Councilman Deist, seconded by Sakaguchi, that the Mayor and City Clerk be authorized to sign this agreement. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Deist, and Hovey; No, none; carried.

This memo from the Public Works Director was then read:

City of Idaho Falls
June 6, 1988

MEMORANDUM

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: 1987 SANITARY SEWER RECONSTRUCTION - PROJECT
NO. 9b-190, 191 AND 192

Attached are copies of proposed Change Order No. 2 to the above referenced project. This Change Order provides for the addition of two (2) manholes to be furnished and installed at a cost of \$1,750.00 each for a total of \$3,500.00.

Public Works recommends approval of the proposed Change Order and authorization for the Mayor to sign the necessary documents.

Respectfully,

s/ Chad Stanger

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

From the Electrical Department Manager, came this memo:

City of Idaho Falls
June 8, 1988

MEMORANDUM

ATTENTION: Mayor and Council
FROM: Steve Harrison
SUBJECT: 161 KV GEM STATE POWER LINE

Attached is the bid tabulation and CH2M Hill recommendation for the award of the 161 KV Gem State power line construction contact.

The Electric Division recommends awarding this contract to the low bidder, Anderson and Wood Company, Inc., of Caldwell, Idaho in the amount of \$434,810.30.

s/ G. S. Harrison

It was moved by Councilman Hovey, seconded by Wood, that the contract be awarded to Anderson & Wood Company, Inc. of Caldwell, Idaho, in the amount of \$434,810.30, and authorization be given for the Mayor and City Clerk to sign the necessary documents. Roll call as follows: Ayes, Councilmen Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

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

City of Idaho Falls
June 9, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID NO. IF-88-24, PADMOUNT TRANSFORMERS

Attached is the Tabulation of Bids, with computed loss evaluation amounts for Bid No. IF-88-24, Padmount Transformers. It is the recommendation of the Municipal Services Division, in concurrence with the Electric Division, to award the padmount transformers as follows:

<u>Item No.</u>	<u>kVA</u>	<u>Low Voltage</u>	<u>Bidder No.</u> <u>Supplier/Manufac.</u>	<u>No. of Units</u>	<u>Unit Cost</u>
1.			ALL BIDS REJECTED.		
2.	750	208y/120	(6) Temple Elec./G.E.	1	\$14,287.00
3.	750	2400	(6) Temple Elec./G.E.	1	\$11,918.50

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Item One (1) has been rejected because the need for the transformer no longer exists. All other items recommended for acceptance are the lowest responsive evaluated bids.

Respectfully submitted,
s/ S. Craig Lords

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

City of Idaho Falls
June 9, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID NO. IF-88-25, ONE (1) NEW 1988 VIBRATORY RIDE-ON ROLLER

Attached is the tabulation of Bids for Bid No. IF-88-25, Zone (1) New 1988 Vibratory Ride-On Roller.

The Municipal Services Division, in concurrence with the Public Works Division, recommends the acceptance of the low bid meeting specifications of Case Power and Equipment of Idaho Falls. It is further recommended that we accept the alternate proposal of Rollover Protection Systems for an amount of \$19,360.00 without trade-in.

Respectfully submitted,
s/ S. Craig Lords

There being no questions nor comments, it was moved by Councilman Chandler, seconded by Sakaguchi, that this bid be awarded. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls
June 9, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: FIRE TRUCK PURCHASE - CONSENT TO ASSIGNMENT OF CONTRACT

Attached is an agreement between Starline Equipment Company and Pierce Manufacturing, Inc., in which Starline assigns to Pierce its' (Starline's) interests and obligations under the City's Contract for the purchase of a 1988 Pierce 1500 GPM Custom Pumper Fire Truck per Bid No. IF-87-23. The Agreement is

not effective unless the City of Idaho Falls consents to the assignment. The City Attorney prepared both the Agreement and the consent to Assignment of Contract, which is also attached.

JUNE 9, 1988

The Municipal Services Division, respectfully requests approval of said Agreement and Consent to Assignment of Contract, and further requests authorization for the Mayor and City Clerk to execute said documents.

Respectfully submitted,
s/ S. Craig Lords

Councilman Chandler explained the reason for this action. It was moved by Councilman Chandler, seconded by Hovey, that the Council authorize the Mayor and City Clerk to execute these documents. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, and Deist; No, none; carried.

City of Idaho Falls
June 9, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: SETTLEMENT AGREEMENT BETWEEN THE CITY OF IDAHO FALLS AND TWIN CITY FIRE INSURANCE COMPANY

Attached for your consideration is a copy of the Settlement Agreement with Twin City Fire Insurance Company relative to their portion of the settlement with the Washington Public Power Supply System Securities (WPPSS) Bondholders. The Agreement provides for a payment of \$1.0 Million in exchange for our release of all claims against them arising out of the default on WPPSS Bonds for Projects No. 4 and 5.

The Settlement Agreement has been reviewed and approved by the City Attorney and Seattle Special Council. The Municipal Services Division, in concurrence with the City Attorney, recommend your approval thereof.

Respectfully submitted,
s/ S. Craig Lords

Councilman Chandler explained that this is an insurance settlement with one of the insurance companies that is involved with the WPPSS suit. It was moved by Councilman Chandler, seconded by Sakaguchi, that this settlement, payment, and agreement be approved. Roll call as follows: Ayes, Councilmen Wood, Chandler, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls
June 9, 1988

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CITY AUCTION SALE

JUNE 9, 1988

The Municipal Services Division respectfully requests authorization from the Mayor and City Council for the City Clerk's Office to conduct an auction sale on July 9, 1988, for all unclaimed, impounded merchandise received from the Police Division. Authorization is further requested for the hiring of an auctioneer to conduct this sale.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Hovey, that authorization be given to conduct an auction sale and to retain an auctioneer for same. Roll call as follows: Ayes, Councilmen Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Chandler, that the meeting adjourn at 9:30 P.M.; carried.

Velma Chandler
CITY CLERK

Thomas Campbell
MAYOR
