

**MAY 5, 1988**

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The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, May 5, 1988, in the Council Chamber in Idaho Falls, Idaho. Prior to calling to meeting to order, the Mayor called upon Cub Scout Michael Jenson to come forward and lead all those present in the Pledge of Allegiance to the Flag. The Mayor then called their meeting to order and, upon roll call, the following were found to be present: Mayor Thomas Campbell; Councilmen Melvin Erickson, Wesley Deist, Paul Hovey, Sam Sakaguchi, Ralph Wood, and Arthur Chandler, Jr. 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 a Regular Meeting held April 21st and a Special Session held May 2nd, 1988. The Council approved the minutes of both meetings.

The Mayor declared open a public hearing which had been legally advertised for this night to consider a request for a variance for the George Watkins' family. It was moved by Councilman Wood, seconded by Deist, that this hearing be recessed until May 19th, as the requesters were out of town. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Mr. Steve Gardner, 1025 Homer, appeared, representing the approximate eighty persons in attendance and three hundred eighty plus signatures on the following petition:

ADDRESSED TO: MAYOR CAMPBELL; CITY  
COUNCILMEN DEIST, HOVEY, WOOD, CHANDLER,  
SAKAGUCHI, AND ERICKSON.

WE THE PARENTS OF CHILDREN ATTENDING  
THERESA BUNKER SCHOOL AND ADJACENT  
NEIGHBORS STRONGLY OPPOSE THE PLAN BY  
DEVELOPER GARY VOIGT TO ALLOW  
COMMERCIAL BUSINESS TRAFFIC TO FLOW ONTO  
16TH STREET AND INTO THERESA BUNKER  
SCHOOL ZONE. THE PROJECT IS AN OFFICE  
BUILDING ADJACENT TO KIDK STUDIOS, WHICH  
WOULD ALLOW ACCESS FROM 17TH STREET TO  
16TH STREET. WE PETITION THE CITY TO AMEND  
THE PLAN AND ROUTE TRAFFIC AWAY FROM THIS  
AREA. WE ALSO WOULD ASK THAT ANY CURRENT  
OR FUTURE COMMERCIAL ACCESSES BE  
CLOSED.

Mr. Gardner stated that the petition is not only signed by patrons of the School District, but also by members of the faculty and staff at Theresa Bunker School. He said that the reason for the petition and the large group attending the meeting is to ask the Mayor and Council to disapprove a Planned Transition Zone Development which they approved on April 7, 1988, and more specifically, the access onto 16th street. He said that the literal and physical safety of the students that attend Theresa Bunker School lies in the decision the Council makes this night. He said that, in his opinion and interpretation of the American Jurisprudence Encyclopedia, the Council does have authority to disapprove the previous action taken. He asked the Council to disallow any access into 16th Street from the development project of Gary Voigt by taking another vote or referring this matter back to the Planning and Zoning Department for further review.

Mr. David Gyorfy, 1565 Merrett appeared several times during the meeting to stress the fact that, in his opinion, this proposal endangers the lives of the neighborhood children. He said that, at a recent rezoning request, the Mayor had broken a tie vote in favor

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of Lee Gagner and had informed Mr. Gagner that he expected him to complete all the projects and promises he had made during his presentation. Gyorfy said that none of these had been done. He said that, in his opinion, the Council's voting is not consistent. He reviewed previous meetings and action taken and comments made. He said the proposal for a one way street from 17th to 16th would definitely endanger Theresa Bunker School children. He said that he is going to try to change the law covering the requirements for notification of nearby residents to public hearings. He feels that one present law is not inclusive enough.

Christine Ritchie, 1346 East 16th Street, appeared briefly to state that she is very concerned about the school children and this added traffic problem. She says that she does not need the added worry of fifty plus cars in this school area. She asked the Council to please change this, as it is wrong.

Margene McConnell, 901 Bower, appeared to state that her children go to Linden Park School and she feels that the increased traffic on Bower will also effect Linden Park School, and this is a great deal of concern for a lot of children.

Sue Bahm, 1305 Nixon, appeared to ask the Council to please not let this added traffic effect the lives of her children.

Gerald Litteer, 1293 East 16th Street, appeared briefly to state that traffic is the history of this area. He emphasized "We don't need more".

Mrs. Shirley Stevenson, principal of Theresa Bunker School, appeared to state that she does not feel that residents were aware of this development, and therefore, they did not have enough time to realize the effect it could have on their lives. She said that, in her opinion, all 17th Street businesses should access 17th Street. She also said that Theresa Bunker is a "walk-in" school and that serious consideration should be given to this problem.

Chris Jensen, 1320 East 16th Street, appeared to state that he had recently experienced the devastating effect of running over a child and he asked the Council to reconsider this proposal so as not to subject others to this anguish.

Mr. Daryl Moon, 965 Austin, appeared to state that he has also experienced the devastation of hitting a child and having a son hit by a vehicle. He wished to impress upon the Council that they are dealing with children whose interests lie elsewhere and not always in dealing with traffic. He said that this is, in his opinion, morally wrong and something the Council must live with if they fail to change and there is an injury.

Ms. Mickey Towers, 1335 Bower, appeared briefly to state that she feels that an access off of 16th Street, will cause an increased traffic risk on Bower Street. She asked the Council not to allow a 16th Street access from this development. She said that children are a once in a lifetime asset and they cannot be replaced.

Councilman Wood stated that he felt that this meeting would not have been necessary if this group had attended the previous two public hearings. He asked the City Attorney what further action may be taken on this matter.

Attorney Dale Storer stated that, without in any way denigrating what has been said this night, he has some serious reservations with respect to procedurally doing anything with what has been presented tonight. He emphasized that the meeting tonight is not a formal, legal hearing; that two legal hearings had already been legally advertised, notices mailed, and hearings held on this issue; and a decision made. He said that he felt it unfortunate that the type of comments received this night had not been heard at the previous hearings so that due consideration could have been given to the points that have been made. He said that it is his opinion that, without proper notice given, the Council would not have authority to take any action to alter the conditions of the development plan approved on April 7. The Council, generally, does have authority to alter permits unless and until rights of third parties are vested. He said that, once a building permit has been issued to a Developer, the Council would have no authority to make changes in that plan. He said,

further, that the Council does have authority to take into consideration any police measures in terms of considering other safety measures that might be taken.

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An unidentified male appeared to state that he agrees that the Developer does have rights, but that is a two-way street, so do the residents. He feels that the notice of hearings do not give a person enough time to alter a busy schedule.

Steve Gardner re-appeared to state that he strongly disagrees with the recommendation of Attorney Storer. He said that procedurally, if one of the Council members who previously voted in the majority, would make a motion to this body to reconsider this action, he believes that the law would allow this. He asked for a straw poll of the Council. Mayor Campbell asked if any Councilmen, who previously voted in the affirmative, wished to make a motion to reconsider this issue. No motion was made.

Mr. Brent Dixon, 1125 Azalea, appeared to say that he had attended the hearing on this issue and suggested that Mr. Voigt might reconsider the 16th Street access if he knew of the protests presented this night. He suggested that the Council consider an ordinance governing thoroughfare blockage. Councilman Deist said that he had visited with Mr. Voigt and he would not consider a change in traffic pattern for this project.

Mr. Emery Bahm, 1305 Nixon, appeared to state that he felt that if he asked the Councilmembers individually if they wanted to route commercial traffic into a School District, they would all say it is the wrong thing to do. He said that two attorneys have different opinions and there might be a chance that another mistake might be made this night, therefore, he asked the Council to try to make this matter right at this time.

Mr. Doug Swanson, 1516 Merrett, appeared to state that he is a Project Manager at the INEL and he believes that someone in the City Government can make changes to correct this wrong. He suggested that the two attorneys review the legal aspects of this matter before making a stand.

Mr. David Gyorfy re-appeared to say that two attorneys disagree - both may be right - what is there to lose to give time to have the attorneys review the legal rights.

Councilman Chandler asked the City Attorney to explain what rights these people have.

Attorney Storer answered that a decision has been made. Anyone who has been affected by that decision may appeal that decision to the District Court within sixty (60) days of the decision that was made.

Councilman Hovey pointed out that 16th Street may be developed through to Holmes Avenue in the future, which will, certainly, create additional traffic. Hovey also registered concern that notices of hearings are not being mailed in time for the received to be able to attend the hearing.

Mayor Campbell said he felt that the Council had received adequate information and asked again if any Councilmember wished to make a motion to reverse the decision or to refer this matter to another hearing.

Councilman Hovey questioned the significance for such a vote as the Attorney had previously advised the Council to not take such action. There was no motion made.

Councilman Erickson wished to interject that it is very evident to him that there is a legal question between the two attorneys present and he is deeply concerned about the previous Council action taken on this issue. He said that all Councilmembers are fair and honest people and he respects their opinions. He said that he feels the decision made was wrong, but, upon the advise of the City Attorney, there is nothing that can be done, therefore, he would make the motion that 20 MPH be posted, and enforced, twenty-four hours a day on 16th Street, from St. Clair Road to Bower Drive; that 25 MPH be posted on Bower Drive, from 16th Street to 9th Street; and that the City authorize the hiring of a traffic guard during the peak hours of children coming to and from Theresa Bunker School. This motion was seconded by Councilman Wood. Upon a recommendation from the group, the motion was amended to also include, that three-way stop signs be installed on both sides of Merrett Drive where it meets 16th Street, and on both sides of Terry where it meets

16th Street. Wood also seconded the amendment to the motion. Roll call as follows: Ayes, Councilmen Wood, Chandler, Deist, Erickson, Hovey, and Sakaguchi; No, none; carried.

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The Mayor then called for a short recess.

Upon reconvening the meeting, the Mayor asked for the City Clerk to proceed with the agenda.

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

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT:	\$ 486,323.53	\$ 36,498.81	\$ 33,771.18	\$ 185,428.88
SALARY:	<u>555,714.28</u>	<u>33,837.69</u>	<u>13,172.15</u>	<u>77,871.97</u>
TOTAL:	\$1,039,937.81	\$ 70,336.50	\$ 46,943.33	\$ 263,300.85

  

	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN SEWER</u>
SERV/MAT:	\$2,109,730.10	\$ 16,956.95	\$ 29,741.63	\$ 680.91
SALARY:	<u>122,348.56</u>	<u>35,188.86</u>	<u>23,241.99</u>	<u>.00</u>
TOTAL:	\$2,232,078.66	\$ 52,145.81	\$ 52,983.62	\$ 680.91

  

	<u>MUN CAP IMPR</u>	<u>LIBRARY</u>	<u>WATER CAP</u>	<u>AMBULANCE</u>
SERV/MAT:	\$ 11,500.00	\$ 26,842.15	\$ 1,500.00	\$ 16,623.59
SALARY:	<u>.00</u>	<u>24,836.31</u>	<u>.00</u>	<u>25,198.47</u>
TOTAL:	\$ 11,500.00	\$ 51,678.46	\$ 1,500.00	\$ 41,822.06

  

	<u>MUN EQUIP</u>	<u>SURFACE DRAIN</u>	<u>MCS</u>	<u>CITY TOTAL</u>
SERV/MAT:	\$ 45,062.58	\$ 8,000.00	\$ 53,200.00	\$3,061,860.31
SALARY:	<u>.00</u>	<u>.00</u>	<u>.00</u>	<u>911,410.28</u>
TOTAL:	\$ 45,062.58	\$ 8,000.00	\$ 53,200.00	\$3,971,170.59

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

Monthly reports for April, 1988, were presented from Division and Department Heads and, there being no questions or objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for AMUSEMENT CENTER, Dac Toy Games and Hobbies; CATERING, The Little Deli; RESTAURANT, The Little Deli; BARTENDER, JoAnne M. Scheets, Val LeRoy Robinson, Robert F. Kuhlman, Darrell Rafe Griggs, Lawauna Macy, Darren Lee Aders; ELECTRICAL CONTRACTOR, Bowman Electric; JOURNEYMAN ELECTRICIAN, Rick G. Bowman, Rod A. Bowman; JOURNEYMAN SPRINKLING SYSTEM INSTALLER, Douglas R. Johnson; BUILDING CONTRACTOR, M. T. Roofing, Peterson Building and Supply, and F & S Construction 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.

The City Clerk asked for Council ratification of the issuance of TO BE CONSUMED OF THE PREMISES BEER licenses to Western Amusement and Villa Roma. 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.

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The City Clerk then asked for Council ratification of the issuance of BARTENDER PERMITS to Angie M. Mead, Kandle Anne Caldwell, Lynn L. Hill, Francene Dee Jamison, Steven William Hyde, Janet Lorraine Orvik; LIQUOR CATERING PERMIT to Elk's Club; RESTAURANT license to Western Amusement Company; MOBILE RESTAURANT license to Smith's Food King & Pepsi. It was moved by Councilman Erickson, seconded by Wood, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

The City Clerk then asked for Council ratification of the publishing of a legal notice calling for the Watkin's family variance hearing. It was moved by Councilman Wood, seconded by Chandler, that this action be duly ratified. Roll Call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

From the Electric Department Manager, came this memo:

City of Idaho Falls  
May 2, 1988

MEMORANDUM

ATTENTION: Mayor and Council  
FROM: Steve Harrison  
SUBJECT: REQUEST FOR COUNCIL RATIFICATION OF THE  
ADVERTISEMENT FOR BIDS ON CONSTRUCTION OF 161  
KV LINE GEM STATE PROJECT

The Electric Division requests Council ratification of the advertisement for bids on the construction of 1.4 miles of 161 KV line out of the Gem State Project. Estimated cost of the project is \$400,000 and will be funded by construction account moneys.

s/ G.S. Harrison

It was moved by Councilman Hovey, seconded by Wood, that the Council ratify the advertisement for bids on the construction of 1.4 miles of 161 KV line out of the Gem State Project. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

This memo from the Public Works Director was then read:

City of Idaho Falls  
May 4, 1988

MEMORANDUM

ATTENTION: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: AERIAL SURVEY SERVICES

Attached is a proposed agreement negotiated between the City and Horizons, Inc., Rapid City, South Dakota, for providing the City with aerial survey and mapping services in the amount of \$15,255.30.

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

Respectfully,  
s/ Chad Stanger

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There being no question nor comment, it was moved by Councilman Sakaguchi, seconded by Deist, that the Council approve this agreement and authorize the Mayor to sign the necessary documents. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

From the City Planner, came this memo:

City of Idaho Falls  
May 3, 1988

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: FINAL PLAT - 1ST AMENDED, I.F.R.M.C.

Attached is a copy of the above-described Final Plat. This property is currently within the City limits and is presently zoned R-3A. It is located at the southwest corner of the intersection of Channing Way and Coronado Street. The plat contains approximately three (3) acres. All improvements are in and no Development Agreement is required.

This was recently considered by the Planning Commission and at that time unanimously recommended the 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

It was moved by Councilman Wood, seconded by Deist, that the Council approve this final plat and authorize the Mayor, City Clerk and City Engineer to sign the plat. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Next, from the City Planner, came this memo:

City of Idaho Falls  
May 3, 1988

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: FINAL PLAT - COUNTY SUBDIVISION

Attached is a copy of Rosewood Acres Addition, Division No. 6. This property is located west of the airport, north of Airway Road. This is a large-lot subdivision containing approximately six and one half (6 1/2) acres and five (5) single-family lots. This is being submitted to the City Council inasmuch as it is within one (1) mile of the city limits.

The Planning Commission recently considered this matter and at that time unanimously recommended approval of the Final Plat. This Department concurs with that recommendation. It is now being submitted to the Mayor and City Council for consideration.

s/ Rod Gilchrist

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It was moved by Councilman Wood, seconded by Deist, that the Council accept this final plat and authorize the Mayor, City Clerk and City Engineer to sign the plat. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey and Sakaguchi; No, none; carried.

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

City of Idaho Falls  
May 4, 1988

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: USE AGREEMENT - A-R CAPITAL INVESTMENT

Attached are copies of a Use Agreement between the City of Idaho Falls, and A-R Capital Investment. This Agreement covers A-R Capital Investment's use of a wall located on City property. Said Wall is also the east wall of a building owned by A-R Capital Investment.

This Use Agreement has been prepared by the City Attorney. The Municipal Services Division recommends approval of this Use Agreement and respectfully requests authorization from the Mayor and City Council for the Mayor to execute said agreement.

Respectfully submitted,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Erickson, that the Council execute this agreement with A-R Capital Investment and authorize the Mayor to sign same. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

City of Idaho Falls  
May 4, 1988

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: RENEWAL OF GEM STATE AND BULB TURBINE INSURANCE

The Municipal Services Division respectfully requests ratification from the Mayor and City Council on action previously taken in binding insurance for physical loss or damage to real and personal property at the Gem State and Bulb Turbine Projects.

Coverage will be provided by Hartford Steam Boiler for a one (1) year period, beginning April 29, 1988, with an annual premium of \$109,035.00. Tandy and Wood, Inc. is the local agent.

s/ S. Craig Lords

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There being no question nor comment, it was moved by Councilman Chandler, seconded by Sakaguchi, that the Council ratify this action. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

City of Idaho Falls  
May 4, 1988

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: I.B.E.W. RATIFICATION

In April, the Mayor and City Council authorized the Electrical and Municipal Services Directors to enter into a new working agreement with I.B.E.W. It is respectfully requested that this Agreement be formally ratified by the Mayor and City Council. It is further requested that these benefits be given to all full-time, non-union employees of the Electric Light Division, with the exception of the Manager and Secretary.

Respectfully submitted,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Hovey, that the Council ratify this agreement with I.B.E.W. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

City of Idaho Falls  
May 5, 1988

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Office of the Chief of Police  
SUBJECT: PROPOSED UNCLAIMED PROPERTY ORDINANCE

Attached is a copy of proposed change to City Code Section 4-1-16, Unclaimed Property Ordinance, and a memorandum from Joe Burgess, Assistant City Attorney, explaining the reason for the proposed changes.

I have reviewed this ordinance and recommend approval of the changes necessary to bring our ordinance into compliance with state law.

s/ Monty G. Montague

The City Attorney read the following ordinance caption:

**ORDINANCE NO. 1902**

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 4-1-16 CITY CODE, IDAHO FALLS, BEING A PORTION OF ORDINANCE NO. 1624, ORDINANCES OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING FOR ADVERTISING AND SALE

OF UNCLAIMED PROPERTY; PROVIDING FOR  
EFFECTIVE DATE OF ORDINANCE.

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

Also, from the Police Chief, this memo was read:

City of Idaho Falls  
May 5, 1988

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Traffic Safety Committee  
SUBJECT: BUS STOP BENCHES

The Traffic Safety Committee met and reviewed the proposal for bus stop benches presented by Mr. Lee Gagner and it is the recommendation that this proposal be approved with the following items being addressed.

1. Maintenance - at owners expense. This maintenance to include snow removal, paint, general attractiveness, etc.
2. Liability, which would hold the city harmless.
3. Maintain 5' sidewalks wherever possible.
4. Main bus routes only.
5. Permit subject to annual renewal.

Sincerely,  
s/ Monty G. Montague

Councilman Erickson explained that the Police Committee had met several times to review this proposal from Lee Gagner for placement of bus benches throughout the City of Idaho Falls. He said that the original request was to place approximately one hundred eighty benches, but the Council Committee feels it will be better to allow the placement of eighty benches in the business areas only to determine if there are safety problems before placement in residential areas. Erickson, said that placement of benches will be on a permit basis only so that proper instructions may be given.

City Attorney Storer reminded the Council of the existing "sidewalk" ordinance, and, if this proposal were accepted, it would require several amendments to that ordinance to allow installation of benches on sidewalks. Councilman Erickson asked if an agreement would be required to cover this project. Attorney Storer answered that those items will be included as part of the permit. He said that a new ordinance will cover the terms and conditions of a permit. It was then moved by Councilman Erickson, seconded by Chandler, that this be referred to the Legal Counsel for the drafting of an appropriate ordinance.

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

Recommendation #1 requested that the intersection of Royal and Elva, and Royal and Lovejoy be signed with appropriate signs, illumination, delineators, etc., to protect the fence and children playing in the park. Councilman Erickson placed as illustration on

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the wall to acquaint the audience with the location of the recommendations and the need for the changes. It was moved by Councilman Erickson, seconded by Wood, that the Council accept the proposal for this intersection. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

Recommendation #2 requested the installation of a yellow flashing light at the top of the hill near the Elks Lodge and entrance to Pinecrest Golf Course on East Elva. It was moved by Councilman Erickson, seconded by Wood, that this yellow flashing light be installed at the top of the hill near the Elks Lodge and entrance to Pinecrest Golf Course on East Elva. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Recommendation #3 requested a 20 MPH School Zone with appropriate school signs be established from Hoopes Avenue easterly on 12th Street for the appropriate distance, and for one-half hour before school starts to one-half hour after school ends. It was moved by Councilman Erickson, seconded by Wood, that the Council approve this request. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The City Attorney read the following ordinance caption:

**ORDINANCE #1903**

AN ORDINANCE CHANGING THE NAME OF A PORTION OF SOUTH HIGBEE AVENUE TO SPRINGWOOD LANE; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

The City Attorney presented an amendment to the Joint Use Agreement between the City of Idaho Falls and Teton Racing Associates who are currently operating the race track operations at Sandy Downs. He explained the changes in the agreement. Councilman Chandler registered concern on the possibility of loss of revenue during the term of the agreement. It was moved by Councilman Deist, seconded by Erickson, that the Mayor and City Clerk be authorized to sign the documents. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Wood; No, Councilman Chandler; carried.

There being no further business, it was moved by Councilman Wood, seconded by Chandler, that the meeting adjourn at 9:45 P.M., carried.

Velma Chandler  
CITY CLERK

Thomas Campbell  
MAYOR

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