

JULY 9, 1987

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, July 9, 1987, in the Council Chamber in Idaho Falls, Idaho. There were present: Mayor Thomas Campbell; Councilmen Art Chandler, Melvin Erickson, Wesley Deist, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Velma Chandler, City Clerk; Joe Burgess, Assistant City Attorney and all available Division Directors.

The City Clerk read a summary of the minutes of the last Recessed Regular Meeting held June 25th, 1987. The minutes were approved by the full Council.

Mayor Campbell asked Councilman Chandler to escort Dr. Harvey Hatch to the Council Table. Mayor Campbell said that Dr. Hatch has been the City Physician since March 9, 1979. He thanked Dr. Hatch for his many years of service and presented him with an inscribed gold watch as a small token of appreciation. Dr. Hatch 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.

Mayor Campbell then invited Councilman Wood to escort City Employee Retiree Boyd Wood to the Council Table. The Mayor gave a resume' of Boyd's twenty-six years of service with the City; thanked him for his many services; wished him well in his future years and presented him with an inscribed gold watch. Boyd 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.

Mayor Campbell then invited Councilman Erickson to escort City Employee Retiree Marv Campbell to the Council Table. Mayor Campbell gave a resume' of Marv's accomplishments over the twenty-nine years with the Police Force, the most recent being Chief of Police. The Mayor said that Marv would have made a great Chief of Police if the Mayor could have appointed him permanently. He said he appreciated Marv's support in this and shared his disappointment. Marv then received an inscribed gold watch, a congratulatory handshake from all City Officials, and a round of applause from the audience.

Mayor Campbell then honored Eagle Scout Preston Abbott. He congratulated Preston for this achievement and presented him with a framed certificate of appreciation. Preston then received a round of applause from the audience.

The Mayor then declared open a public hearing to consider amending the zoning ordinance and establishing a new zone entitled "Planned Transition Zone", and asked Councilman Wood, Chairman of the Planning & Zoning Committee, to conduct the hearing. At the request of Councilman Wood, the City Clerk read this memo from the City Planner:

City of Idaho Falls
July 7, 1987

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: PERFORMANCE ZONING

Attached are copies of an ordinance amending the Zoning ordinance and establishing a new zone entitled Planned Transition Zone. Also attached are copies of a resolution amending the rest of the Comprehensive Plan to make provisions for the Planned Transition Zone.

This proposed amendment has been under study for approximately one (1) year and has been the subject of numerous hearings and workshops. No opposition has been expressed to date; in fact, strong support has been voiced by those in attendance at the hearings.

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The Planned Commission, at a public hearing held on May 4, 1987, unanimously recommended approval of the Planned Transition Zone Amendment, the amendment to the Comprehensive Plan text and the Comprehensive Plan map as shown on Exhibit "A". This Department concurs with that recommendation and the matter is now being submitted for your consideration.

s/ Rod Gilchrist

Councilman Wood then asked the City Planner to further explain the memo. City Planner Gilchrist said that planned transition zoning would allow zoned R-1 areas now under changes to develop higher density residential and/or commercial in some areas if a specific set of development standards are approved by the Zoning Department and adhered to. These changes could include on-site buffering from their neighbors, landscaping, and control of curb cuts.

Mr. Nick Vrontikis, a downtown businessman, appeared to suggest that adequate off-street parking be a first priority in the building of businesses. He said "no parking - no building" should be the rule. Mayor Campbell said that the zoning requirements govern the parking in business lots.

The Attorney read the following Resolution:

RESOLUTION AMENDING COMPREHENSIVE PLAN (Resolution No. 1987-06)

WHEREAS, on the 18th day of September, 1980, the City of Idaho Falls, Idaho, adopted a Comprehensive Plan pursuant to the provisions of the Local Planning Act of 1975, Idaho Code Section 67-6501, et seq.;

WHEREAS, substantial changes have occurred in certain transitional areas identified along several arterial streets located in the City of Idaho Falls, which changes necessitate an amendment to the Comprehensive Plan;

WHEREAS, certain amendments to the Comprehensive Plan and Map have been considered by the Planning & Zoning Commission at several public hearings, after notice and hearing pursuant to the provisions of the Local Planning Act;

WHEREAS, the Planning and Zoning Commission has recommended that such amendments and changes be adopted:

NOW, THEREFORE, be it hereby resolved:

Section 1. The Comprehensive Plan for the City of Idaho Falls, Idaho, dated September 18, 1980, is amended to add a new subsection on Page 5 as follows:

LAND USE IN TRANSITIONAL AREAS

Conflict between growing volumes of traffic and residential values along the City's arterial streets have been documented in a report "Managing Change: A Planning Strategy for the Areas Along Idaho Falls' Arterial Streets." This report proposed a strategy for managing land use change along the City's arterial streets. The elements of that strategy are adopted as objectives of this plan. They are:

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1. Provide opportunities for carefully planned, high density residential and commercial projects in the transitional areas along the City's arterial streets and in other areas where a gradual change to higher intensity land uses is anticipated;
2. Provide more rigorous protection for residential areas that may be adversely impacted by land use change;
3. Provide guidance for development in the undeveloped areas along arterial streets and other undeveloped areas along arterial streets and other undeveloped areas adjacent to residential neighborhoods; and
4. Adopt a better process for land use change decisions in transitional areas.

More Intensive Land Use in Transitional Areas.

Transitional areas along the City's arterial streets are identified on Map 1. It is desirable to allow redevelopment of these areas, but the nature and extent of the uses permitted should vary, as the map shows. Map 1 also identifies certain areas in which land use transitions have not yet begun, but are anticipated in the future.

More Protection of residential values as land use in the City's Transitional areas changes will require three things--1) limits on the uses within transitional areas; 2) specific performance standards for new development, and 3) procedures that assure neighbors not only of an opportunity to be heard, but also that the potential impact of all proposed uses will receive full consideration before a decision to permit change is made. The new performance standards and procedures should be incorporated into the Zoning Ordinance.

Guidelines for Development in Undeveloped Areas.

The performance standards referenced above apply to all land use changes in the designated transitional areas. They will also be used in transitional areas designated in future amendments to this Plan.

A Better Process.

A new process for reviewing requests for land use change in transitional areas should be incorporated into the Zoning Ordinance. The principal guidelines for this review will be the performance standards set forth in the Zoning Ordinance. Those standards may be presented in a practical checklist form for use by developers, interested citizens, and the City's staff and Planning Commission during development review proceedings.

Designation of Additional Transitional Areas.

As Idaho Falls grows and changes, it will be desirable to apply the strategy adopted here to additional transitional areas. Designation of new transitional

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areas will require amendments to this Plan and City's Zoning Ordinance and should be generally guided by the same criteria used to identify transitional areas in the Managing Change... report. Those criteria are:

1. High levels of planning commission activity;
2. Existing mixture of land uses;
3. Deteriorating housing, declining property values, or numerous homes for sale;
4. The pressure of larger than average numbers of the elderly; and,
5. High or increasing traffic volumes.

An area need not meet all these criteria to be designated as transitional; however, it should meet at least two.

Section 2. The Comprehensive Plan Map is amended in the form of Exhibit "A" attached hereto.

Section 3. These amendments shall be effective upon passage and execution by the Mayor.

PASSED AND EXECUTED this 9th day of July, 1987.

s/ Thomas V. Campbell
MAYOR

It was moved by Councilman Wood, seconded by Deist, that the Council accept the resolution amending the Comprehensive Plan and authorize the Mayor to sign. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey and Sakaguchi; No, none; carried.

ORDINANCE NO. 1870

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, BEING ORDINANCE NO. 1115, ORDINANCES OF THE CITY OF IDAHO FALLS, IDAHO; ESTABLISHING A NEW ZONE TO BE KNOWN AS THE PLANNED TRANSITION ZONE; SETTING FORTH PURPOSE OF ZONE AND ESTABLISHING PERMITTED USES THEREIN; REQUIRING COMPLIANCE WITH PERFORMANCE STANDARDS; ESTABLISHING PROCEDURES FOR APPLICATION FOR PERMITS FOR LAND USES WITHIN THE ZONE; PROVIDING FOR HEARING PROCEDURE; SETTING FORTH STANDARDS FOR CONSTRUCTION OF IMPROVEMENTS WITHIN THE ZONE; REQUIRING A WARRANTY AND MAINTENANCE OF THE IMPROVEMENTS; SETTING FORTH ENFORCEMENT PROCEDURES; PROVIDING PENALTIES; PROVIDING FOR SEVERABILITY AND PRESERVATION OF PRIOR ORDINANCE; ESTABLISHING AN EFFECTIVE DATE.

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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 ordinance 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.

The following petition, with approximately eighty signatures, was read:

P E T I T I O N

We, the undersigned, petition of the City Council of Idaho Falls to delete or cause the Amendment of Zoning Ordinance No. 1115, Section 4-15, which reads in part... "No unoccupied house trailer, mobile home or travel trailer shall be parked or allowed to remain in any required front yard or side yard which faces on a street in any Residential Zone."

Mrs. Didi Brown, 805 Tiger, appeared briefly, representing the petition signers. She said they feel that they own their property and should be able to park recreational vehicles on it if they so wish.

Mayor Campbell asked Councilman Erickson to explain the procedure the City is taking at this time concerning the placement of recreational vehicles on streets and driveways.

Councilman Erickson expressed appreciation for the petition read this night. He said the concerns of the parking of these units come from the public safety standpoint. He said the storage of recreational vehicles and parked cars on streets is a public safety hazard. He said that he, the Mayor and Councilman Deist had met with members of the Good SAM organization and they recognize the concerns of the City and they have asked for an opportunity to review the present ordinance and, possibly, come back to the Council with some recommendations for review.

Mr. Jim Henry, 861 Maplewood, appeared to register concern about neighbors parking too close to property lines and encroaching onto his property and in front of his place and his view. Councilman Erickson said that these are the things that are being reviewed and the things they hope to resolve.

Mayor Campbell suggested that the Police Council Committee, the members of Good SAM and the petitioners work together to come up with a working solution to this problem, to be reviewed by the Mayor and full Council.

Mr. Floyd Fantelli presented the following statement:

City of Idaho Falls
July 9, 1987

Mayor Thomas Campbell
Idaho Falls, Idaho

Dear Mayor:

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My name is Floyd Fantelli. I live at 2974 Greentree Lane in Idaho Falls. I moved to Idaho Falls 8 years ago from Cleveland, Ohio. I moved specifically to Home Ranch because it was a very nice neighborhood and it was close to my work at the hospital.

One of the first pieces of information I requested from my realtor was the zoning information for residential park. I received it and clearly understood the zoning ordinances. I not only was willing to abide by them, but they constituted one of the main reasons I chose Home Ranch and Idaho Falls.

My opinion about motor homes in residential park zone is as follows: 1. If you can afford a motor home or trailer you can also afford to store it properly and follow the zoning ordinance. 2. People should read the zoning ordinance before they move into residential park or R-1 areas. This is another classic example of people who read the insurance policy after the house burns down.

Three years ago, a neighbor two houses away, erected a two story storage building adjacent to his property line (next to the property line of our mutual neighbor). He obviously failed to read the zoning ordinance. His neighbor objected to this building because it was almost directly in front of his patio door. Rather than moving the building, this individual attempted to acquire a variance by obtaining signatures from affected parties within a specified distance (400 or 500 feet, I don't remember which). Naturally, he didn't ask the person most affected by this building, but rather went to the people that live the maximum distance (in fact, across the street where visualization of this building was impossible). He also asked me to sign his petition. The building didn't affect me directly, but I refused to sign unless the parties most impacted by this building also agreed. Obviously, to me, this was the fair way to approach this matter. The building had to be moved.

People may come to you with petitions for changing zoning ordinances for motor homes and they may bring a list of names. I would say the same thing today as I have said before. Give me the signatures of their neighbors - not around the corner, but their next door neighbors who would be most impacted by this zoning change. I am not interested in the signatures of the owners of motor homes. You and I know what their desires are. And I would also say that residential park zoning should be left alone. If someone wants to park a motor home at variance with the zoning ordinance, then he should obtain signatures of the majority of those most affected by this eye sore. If his immediate neighbors agree and have no objections, then neither do I.

I hope you will give this letter your thoughtful consideration in deciding not to change zoning ordinance regarding motor homes and trailers in residential park.

Sincerely,
s/ Floyd Fantelli, M.D.

Mr. Ken Lancaster, 336 E 23rd St., appeared briefly representing the Good SAM Club. He said that the members of the Club have drafted a workable solution to this problem and offered to meet with the petitioners at any time to see if they can find a workable solution for all concerned.

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Mr. Les Harjala, 484 Sykes, appeared to ask how the police pick out those vehicles to be ticketed? He said his vehicle was ticketed and others just down the street were not.

Mayor Campbell said that those that were not ticketed will, likely, be ticketed as it takes time to cover an area.

Mr. Stan Briggs, 320 2nd St., appeared to state that there is no room to place a recreational vehicle in his back yard. He asked the Council to wait ten years to enforce the ordinance and he'll be gone.

Mr. Jack Gamble, 200 Fieldstream, appeared to state that in his opinion, there is no need to change this ordinance at this time. He said these problems have been prevalent for many years. He commended the City for the control they have displayed in the past. He said the only change is the size of the recreational vehicles.

Mrs. Didi Brown re-appeared to state that there is not sufficient storage available in the City and it is too costly if it were available.

Mayor Campbell said that he doubted if an ordinance could be written that would please everyone in the City but he asked the Police Committee to take recommendations from recreational vehicle owners and the Good SAM Club and try to come up with a compromise to present to the full Council. Councilman Erickson agreed to this request.

Mrs. Phyllis Arrington, 210 N. Hanson, Shelley, Idaho, appeared and read the following:

REGARDING: Shelley Hydroelectric Project

My name is Phyllis Arrington. I live on the stretch of river known as "The Loop". This is the part below the dam site from which most of the water would be diverted in order to provide more power thru the turbines. Now the need for that increased power has not been justified in recent years. In fact, actual power usage is far below projected needs. The effect upon me is the following; My husband and I chose the location because of its extreme beauty, the view of the river, the flora fauna, are what dreams are made of. Diversion of the water from that area will reduce it to a dry bed three-fourths of the time, a slow moving streamlet the rest, making it a haven for insects, esp. mosquitoes. The birds, trees, brush and fish will be gone. Since I'm below the site and not in the city limits of Shelley, I apparently have no recourse, but to sue for damages.

I, also want to ask you some questions about the economic impact.

1. When do you intend to hold landowner meetings? Will they be for all or one landowner at a time?
2. Just exactly how much has been spent? Mayor Campbell has said five million and one million.
3. What are your plans for compensation due to decreased land value to residents immediately below the site?
4. How do you measure aesthetic value?
5. What are your plans for compensation for replacement of water systems (septic systems, deeper wells)?

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6. Have you informed Idaho Falls citizens that they will have to replace at least one home and protect a number of basements?
7. What are the economic impacts of raising water onto virgin banks?
8. How will Bingham County be compensated for the reduced tax base and increased maintenance (police, fire, trash, etc.) in recreation areas?
9. Who will bear the burden of increased flood hazard cost - insurance and emotional stress?
10. How can you prove that there is a need for more power, and are you willing to test your proof in open debate?

s/ Mrs. Phyllis Arrington

Mayor Campbell said that the only answer to these questions that the City has at this time is the amount of money spent and that figure is near one-half of a million dollars.

Bills for the month of June were presented after having first been audited by the Fiscal Committee:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT:	\$ 581,695.22	\$ 44,799.25	\$ 54,325.64	\$ 251,915.27
SALARY:	<u>777,200.78</u>	<u>34,381.12</u>	<u>12,755.85</u>	<u>76,829.01</u>
TOTAL:	\$1,358,896.00	\$ 79,180.37	\$ 67,081.49	\$ 328,744.28

	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN/SEWER</u>
SERV/MAT:	\$1,086,602.20	\$ 38,037.13	\$ 42,317.78	\$ 14,298.00
SALARY:	<u>135,077.31</u>	<u>37,364.20</u>	<u>20,489.30</u>	<u>.00</u>
TOTAL:	\$1,221,679.51	\$ 75,401.33	\$ 62,807.08	\$ 14,298.00

	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>WATER CAP</u>	<u>AMBULANCE</u>
SERV/MAT:	\$ 42,757.02	\$ 368.30	\$ 21,648.90	\$ 32,119.74
SALARY:	<u>22,820.55</u>	<u>.00</u>	<u>.00</u>	<u>22,973.48</u>
TOTAL:	\$ 65,577.57	\$ 368.30	\$ 21,648.90	\$ 55,093.22

	<u>MUN EQUIP</u>	<u>MCS</u>	<u>TOTALS</u>
SERV/MAT:	\$ 105,549.64	\$ 40,900.00	\$2,552,839.65
SALARY:	<u>.00</u>	<u>.00</u>	<u>944,386.04</u>
TOTAL:	\$ 105,549.64	\$ 40,900.00	\$3,497,225.69

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

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

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License applications for BARTENDER, Leisl Ann Marler, Dana J. Drake, Christine Renee' Deer, Kevin Richard Renfro, Cindy Coleen Anderson; CATERING, Leonard's Catering Service; CONCESSION, Women of Papa Tom's Pizza; NON-COMMERCIAL KENNEL, Judy V. Kehoe; LIQUOR CATERING PERMIT, Elk's Lodge; JOURNEYMAN ELECTRICIAN, Jerry Lindsey, Shane Monson, Dennis Sucher; APPRENTICE ELECTRICIAN, James L. Watters with Wheeler Electric; JOURNEYMAN PLUMBER, Terry Trujillo; CLASS D HEATING & COOLING CONTRACTOR, GAS FITTER, Bingham Mechanical of Wyoming, Inc.; CLASS B BUILDING CONTRACTOR, Kerbs Construction Corporation, B. J. Landon Construction, J & J Contractors; CLASS A ROOFING CONTRACTOR, Hughes Roofing Company and a CLASS A ROOFING CONTRACTOR for Building Maintenance Service, 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 Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

The City Clerk asked for Council ratification of the issuance of a BARTENDER permit to Joy S. Nelson; TAXI OPERATOR'S license to Len W. Izatt; RESTAURANT licenses to Breadbox, Dimple's Donuts, Community Church of God in Christ (4th of July), Spanish Branch (4th of July) and CONCESSION licenses to Sweet Adelines (4th of July) and Idaho Falls 26th Ward. It was moved by Councilman Erickson, seconded by Wood, that the Council ratify the previous action. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

From the Parks and Recreation Director came this memo:

City of Idaho Falls
July 7, 1987

ATTENTION: Mayor and City Council
FROM: John Johnson, Director
SUBJECT: BIDS FOR CONSTRUCTION OF TIGER EXHIBIT

The Parks and Recreation Department respectfully requests authorization to advertise for bids for construction of a tiger exhibit at the Tautphaus Park Zoo.

s/ John Johnson

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

From the City Planner came this memo, accompanied by two ordinances:

City of Idaho Falls
July 7, 1987

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: AMENDMENT TO PLUMBING CODE AND LAWN SPRINKLER SYSTEMS

Attached is a copy of an Ordinance amending the City's Plumbing Code to require licensing of lawn sprinkler contractors. Also attached is a copy of an Ordinance requiring permits for the installation of lawn sprinkler systems.

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These Ordinances have been reviewed by the staff and by the City Attorney and we respectfully request that the Mayor and City Council approve them on all three readings.

s/ Rod Gilchrist

ORDINANCE NO. 1875

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 5-15-1 AND 5-15-13 THROUGH 5-15-17, CITY CODE, IDAHO FALLS, IDAHO, BEING PORTIONS OF ORDINANCE NO. 1843, ORDINANCES OF THE CITY OF IDAHO FALLS, AND ENACTING SECTIONS 5-15-18 THROUGH 5-15-22, CITY CODE, IDAHO FALLS, IDAHO; DEFINING LAWN SPRINKLER SYSTEMS, THE PRACTICE OF PLUMBING AND THE OCCUPATIONS OF MASTER PLUMBER, JOURNEYMAN PLUMBER, PLUMBING APPRENTICE, WATER CONDITIONER CONTRACTOR, JOURNEYMAN WATER CONDITIONER INSTALLER, LAWN SPRINKLER CONTRACTOR AND JOURNEYMAN LAWN SPRINKLER INSTALLER; MAKING IT UNLAWFUL FOR UNLICENSED PERSONS TO DO PLUMBING OR TO MAKE PLUMBING REPAIRS WITHIN THE CITY; MAKING IT UNLAWFUL FOR UNLICENSED PERSONS TO INSTALL LAWN SPRINKLER SYSTEMS WITHIN THE CITY; SETTING FORTH REQUIREMENTS FOR APPLICATION FOR LAWN SPRINKLER CONTRACTOR'S AND JOURNEYMAN INSTALLER'S LICENSES; PROVIDING FOR RENEWAL OF LAWN SPRINKLER CONTRACTOR'S AND JOURNEYMAN INSTALLER'S LICENSES; PROVIDING FOR GRANTING OF NEW LICENSES UPON CHANGE OF PERSONNEL OR DISSOLUTION OF FIRMS ENGAGED IN PLUMBING, WATER CONDITIONER INSTALLATION OR LAWN SPRINKLER SYSTEM INSTALLATION; MAKING PLUMBING, WATER CONDITIONER CONTRACTOR'S AND JOURNEYMAN INSTALLER'S, AND LAWN SPRINKLER CONTRACTOR'S AND JOURNEYMAN INSTALLER'S, LICENSES NONTRANSFERABLE; ESTABLISHING PLUMBING BOARD; CREATING POSITION OF PLUMBING INSPECTOR; PROVIDING PENALTIES FOR ENGAGING IN PLUMBING, WATER CONDITIONER INSTALLATION OR LAWN SPRINKLER INSTALLATION WITHOUT A LICENSE; PRESERVING PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY OF SECTIONS OF THIS ORDINANCE; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

JULY 9, 1987

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, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

ORDINANCE NO. 1876

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 4-12-3 CITY CODE, IDAHO FALLS, BEING A PORTION OR ORDINANCE NO. 1842, ORDINANCES OF THE CITY OF IDAHO FALLS, IDAHO; REQUIRING PERMITS FOR PLUMBING, ELECTRIC WATER HEATERS, WATER SOFTENERS, WATER CONDITIONERS, AND LAWN SPRINKLING SYSTEMS, SETTING FORTH PLUMBING, ELECTRIC WATER HEATER, WATER SOFTENER, AND WATER CONDITIONER AND LAWN SPRINKLING SYSTEM PERMIT AND INSPECTION FEES; PERMITTING USE OF TEFLON TAPE; SETTING FORTH REQUIREMENTS FOR WATER HEATER, WATER SOFTENER, AND WATER CONDITIONER, AND LAWN SPRINKLER SYSTEM INSTALLATION; PRESERVING PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY OF THE SECTIONS OF THIS ORDINANCE; PROVIDING FOR EFFECTIVE DATE OF 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 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.

This memo from the Airport Manager was then read:

City of Idaho Falls
July 8, 1987

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: FEDERAL AVIATION ADMINISTRATION GRANT OFFER

JULY 9, 1987

The Federal Aviation Administration has offered a grant in the amount of \$519,537.00 for acquisition of real estate and snow removal equipment, and the widening of Skyline Drive from Grandview to International Way.

The grant will pay 90% of the total costs of the project.

The Airport Committee recommends that the Mayor and Clerk be authorized to accept the grant offer.

s/ James Thorsen

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

Next, from the Airport Manager, this memo was read:

City of Idaho Falls
July 8, 1987

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: SALE AGREEMENT - MCDANIEL PROPERTY

Mr. and Mrs. James McDaniel have offered to sell to the City their real estate located adjacent to the airport clear zone. This acquisition is a part of the clear zone widening project under way for the last ten years.

The purchase price is \$73,500 as determined by the independent fee appraiser.

The Assistant City Attorney has reviewed all applicable documents. The total amount paid, including relocation expenses and interest rate differential payment, is \$85,351.60. The Federal Aviation Administration grant participates at the 90% level.

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

s/ James H. Thorsen

There being no questions nor objections, it was moved by Councilman Deist, seconded by Chandler, that the Mayor and City Clerk be authorized to execute this sale agreement. 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
July 8, 1987

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: OUTSIDE-THE-CITY SEWER SERVICE CONTRACT - DENT VOLKSWAGEN-PORSCHE-AUDI

JULY 9, 1987

Attached is an agreement for the City of Idaho Falls to provide outside-the-city sewer service to Dent Volkswagen-Porsche-Audi.

It is the recommendation of the Public Works Division that the City Council approve the proposed agreement and authorize the Mayor's signature.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Council approve this proposed agreement and authorize the Mayor's signature. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

Next, from the Public Works Director this memo was read:

City of Idaho Falls
July 8, 1987

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: 1987 MISCELLANEOUS SANITARY SEWERLINE
REPLACEMENTS BID AWARD

Bids have been received to reconstruct approximately 3,600 lineal feet of 12-inch sanitary sewer line and 350 lineal feet of 15-inch sanitary sewer line. The bids received were as follows:

H-K Contractors, Inc.	\$156,058.00
Burggraf	\$186,740.00
Beco	\$269,516.25

It is the recommendation of Public Works that the City Council award the bid to the apparent low bidder, H-K Contractors, Inc., in the amount of \$156,058.00 and authorize the Mayor to sign the necessary documents.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the Council award the bid to the apparent low bidder, H-K Contractors, Inc., in the amount of \$156,058.00 and authorize the Mayor to sign the necessary documents. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Finally, from the Public Works Director, came this memo:

City of Idaho Falls
July 8, 1987

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: WEST BROADWAY STORM DRAIN BID AWARD

Bids have been received for furnishing and installing approximately 263 lineal feet of 24-inch storm drain on West Broadway. The bids received were as follows:

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H-K Contractors, Inc.	\$ 9,305.00
Beco	\$ 9,754.73
O & F Construction	\$10,228.25

It is the recommendation of Public Works that the City Council award the bid to the apparent low bidder, H-K contractors, Inc., in the amount of \$9,305.00 and authorize the Mayor to sign the necessary documents.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Council award the bid to the apparent low bidder, H-K contractors, Inc., in the amount of \$9,305.00 and authorize the Mayor to sign the necessary documents. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This memo from the Municipal Services Director was then read:

City of Idaho Falls
July 8, 1987

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: HOT ASPHALT PLANT MIX ADVERTISEMENT

The current asphalt plant mix supplier has not been responsive to the needs of the City, including, but not limited to, the quantities available and the timeliness in delivery of asphalt supplies.

Given these circumstances, the Municipal Services Division and the Public Works Division, request authorization to re-advertise to receive bids for asphalt plant mix.

Respectfully,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council give authorization to re-advertise as requested. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

Also, from the Municipal Services Director, came this memo:

City of Idaho Falls
July 8, 1987

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID NO. IF-87-27, RUBBERIZED LIQUID ASPHALT
AGGREGATE FOR COVER COAT

JULY 9, 1987

Attached is the Tabulation of Bids for Bid No, IF-87-27, Rubberized Liquid Asphalt and Aggregate for Cover Coat.

It is the recommendation of the Municipal Services Division, in concurrence with the Public Works Division, to accept the low responsive bid of Robert V. Burggraf Company, Idaho Falls, Idaho, to furnish the Aggregate for Cover Coat at \$6.75 per ton. The bid received from Beco Corporation did not contain the appropriate bid security.

Since no bids were received for the Rubberized Liquid Asphalt, we request authorization to negotiate for the purchase of the City's Rubberized Liquid Asphalt requirements.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council accept the low bid of Robert V. Burggraf Company to furnish aggregate for cover coat. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Wood, Sakaguchi, and Chandler; No, none; carried.

It was then moved by Councilman Chandler, seconded by Sakaguchi, that the Council give authorization to negotiate for purchase of rubberized liquid asphalt requirements. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Next, from the Municipal Services Director, this memo was read:

City of Idaho Falls
July 8, 1987

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: RENEWAL OF MOUNTAIN BELL RATE STABILIZATION
AND SERVICE AGREEMENT

The Municipal Services Division respectfully requests the Mayor and City Council to accept the renewal of the Rate Stabilization and Service agreement between Mountain States Telephone and Telegraph Company to provided Centron Main Station Lines and common equipment to the City of Idaho Falls and Bonneville County.

At present, the City of Idaho Falls and Bonneville County have a Joint Agreement on existing telecommunication equipment and this Agreement will guarantee new prices for sixty (60) months with an annual savings of \$3,063.48 or \$15,317.40 for the term of the Contract.

The City Attorney and Bonneville County Officials have reviewed the Contract and the County will approve the Contract.

Respectfully submitted,
s/ S. Craig Lords

JULY 9, 1987

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

Councilman Erickson asked the City Clerk to read the following letter:

City of Idaho Falls
June 25, 1987

Mr. Mel Erickson
Harris Publishing Co.
Idaho Falls, ID 83402

Dear Mel:

It was a pleasure to enjoy lunch with you at the Elks yesterday.

I have always enjoyed our conversations and sports affiliations. In working with the Elks and trying to motivate people and get things done, I have a much greater appreciation of the job you perform for the people of Idaho Falls.

In discussing the parking lot proposal. I really think snow removal of the old building will make a significant difference in the appearance of both the Lodge and Golf Course facilities.

Again, thank you for your interest and help in bringing about the changes we discussed.

Personal regards,
s/ Blaine V. Morgan

Councilman Erickson reminded the other Councilmembers that the City has a reciprocal agreement with the Elks Lodge for maintaining and servicing the lot for parking at Pinecrest Golf Course. He said that the building had been razed in lieu of repairing the grounds. No action was considered necessary on this item.

Councilman Erickson reported that, at a previous Council meeting, a request was made that downtown merchants be allowed to display their wares for sale on the sidewalk. This request had been referred to the Police Committee for review. He said the Committee reviewed this request and had discussed it with legal Counsel who had, at their request, prepared a resolution for Council consideration. He said, further, that the Committee feels it should be allowed on a temporary basis as long as the downtown merchants understand that, by opening this up for merchandise to be displayed on the public-right-of-way, the present ordinances be enforced to not allow out-of-state merchants to move in and operate. This would require an itinerant merchant license and also, in food or drink situations, the Health Department approval. He said that 100% of the local merchants would like to give it a try this summer. The following resolution was read by the City Attorney:

RESOLUTION (Resolution No. 1987-07)

WHEREAS, pursuant to Section 9-9-4, City Code, the sale of goods, wares and merchandise upon the public sidewalks within the City is prohibited;

JULY 9, 1987

WHEREAS, pursuant to Section 9-9-5, City Code, the City Council may by resolution declare a day or days during which the operation of such Code section may be suspended;

WHEREAS, it appears that allowing the sale of merchandise upon the sidewalk during the summer months may contribute to the revitalization of the downtown area and would enhance commercial enterprise within such area;

NOW, THEREFORE, be it hereby resolved that:

1. For the period commencing on July 15, 1987, and continuing to and until midnight of September 30, 1987, it shall be lawful for any licensed merchant or other person conducting a lawful business to place table, racks, stands, carts, or other structures upon a public sidewalk located within the downtown area by any racks, stands, carts, or other structures upon a public sidewalk located within the downtown area by any for the purpose of selling or displaying goods, wares, merchandise, food, or beverage, subject to the restrictions and regulations set forth in Section 9-9-5 of the City Code, and such additional regulations and restrictions as set forth herein.

2. For the purpose of this Resolution, the term "downtown area" shall have the same meaning ascribed in Section 10-20-2, City Code.

3. No person shall install, use or maintain any rack, stand, cart, table or other structure which projects on, over or is located in any area where a public alley or private driveway exists into a public street.

4. No person shall install, use or maintain any stand, cart, table, rack or other structures at any location within fifteen (15) feet of any fire hydrant.

5. No person shall install use or maintain any rack, table, stand, cart or other structure within three (3) feet of any marked crosswalk, street light pole, utility pole, traffic sign pole, fire call box, police call box or other emergency facility, designated bus stop or designated loading or unloading zone.

6. All businesses shall conform to the provisions of the Zoning Ordinance of the City of Idaho Falls.

PASSED AND EXECUTED this 9th day of July, 1987.

s/ Thomas V. Campbell
MAYOR

ATTEST:
s/ Velma Chandler
CITY CLERK

JULY 9, 1987

After several questions being posed and answered, including, only downtown area, distance out from building and effective dates, it was moved by Councilman Erickson, seconded by Wood, that the resolution be approved accepting the proposal for a period commencing on July 15, 1987 and continuing through September 30th, 1987, 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. Councilman Erickson requested that the minutes of the meeting with local merchants on July 7, 1987, be retained in the office of the City Clerk.

The City Attorney presented the following captioned ordinance:

ORDINANCE NO. 1877

AN ORDINANCE ADOPTING THE STANDARD SPECIFICATIONS OF THE ENGINEERING DEPARTMENT OF THE PUBLIC WORKS DIVISION OF THE CITY OF IDAHO FALLS, IDAHO, 1987 EDITION; ADOPTING THE STANDARD DRAWINGS OF THE ENGINEERING DEPARTMENT OF THE PUBLIC WORKS DIVISION OF THE CITY OF IDAHO FALLS, IDAHO, 1980 EDITION; AS AMENDED JULY 1, 1987; PRESERVING PROSECUTION UNDER PRIOR ORDINANCES; PROVIDING FOR SEVERABILITY OF SECTIONS OF THIS ORDINANCE; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

The foregoing ordinance was presented in title. It was moved by Councilman Sakaguchi, 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 ORDINANCE 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 City Attorney recommended to the Council that they authorize the publishing a summary of Ordinance #1877 as it would be very costly to publish it in its entirety. It was moved by Councilman Sakaguchi, seconded by Deist, that the Council authorize the publishing of a summary of Ordinance #1877. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

Mayor Campbell reported that he had appointed Armond Robison and Del Sprague as members of the Traffic Safety Committee. It was moved by Councilman Erickson, seconded by Wood, that these appointments be duly confirmed. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

Councilman Sakaguchi thanked all those that assisted with entertaining the delegates from the City's Sister City in Japan.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 9:00 o'clock P.M.; carried.

Velma Chandler
CITY CLERK

Thomas Campbell
MAYOR
