

OCTOBER 23, 1986

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, October 23, 1986, in the Council Chamber in Idaho Falls, Idaho.

Prior to calling the meeting to order, the Mayor welcomed Scouts from Troop numbers 443 and 556 and called upon Troy Milton to come forward and lead 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 Tom Campbell; Councilmen Sam S. Sakaguchi, Ralph Wood, Arthur Chandler, Melvin Erickson, Wesley W. Deist, and Paul Hovey. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney, and all available Division Directors.

A summary of the minutes of the last Regular Council Meeting held October 9th, 1986, was read and the minutes approved.

Mayor Campbell asked Councilman Art Chandler to escort City Employee Retiree Lorna Coughlin to the Council Table. The Mayor told Lorna that the City was sad to see her go. Lorna had been with the City since 1961 and the City Treasurer since 1970. The Mayor read some of the comments submitted by her former employees, wished her well and presented her with an inscribed gold watch as a token of appreciation. Lorna then received a congratulatory handshake from all City Officials around the Council Table and a round of applause from all those present.

A Non-Commercial Kennel license application for Merrilyne Rish was presented carrying a recommendation from the Police Chief that it NOT be granted. Councilman Erickson explained the requirements to be met before a Non-Commercial Kennel license may be issued and noted that Mrs. Rish's application did not meet with the requirements. Therefore, it was moved by Councilman Erickson, seconded by Wood, that this request for a Non-Commercial Kennel license be denied. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

Bonnie Ellersick and Peggy Oram appeared to request that the City Council provide a way that Mrs. Rish's dog, which had previously bitten their children, be destroyed. Councilman Erickson informed these ladies that the City Attorney had prepared an ordinance for presentation later on the agenda, to cover vicious animals.

A NOT TO BE CONSUMED ON THE PREMISES BEER license application for Soney's Oil was presented, carrying all required approvals. It was moved by Councilman Erickson, seconded by Wood, that this license be issued. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

License applications for AUCTIONEER, Musick Auction Service; BARTENDER, Carma Lee Johnson, Bessie J. Van Dusen, Terry K. Anderson, Lisa Earlene Gibson, Jewel Marie McMurtrey, Richard D. Fox, Arthur S. Herrera, Pamela Jean Northup; LIQUOR CATERING, Eagle's Lodge; BEER NOT TO BE CONSUMED ON THE PREMISES, Soney's Oil; TAXI OPERATOR, Gaylon Lords; ELECTRICAL CONTRACTOR, Ronn Allen Electric, Pearson Electric; JOURNEYMAN ELECTRICIAN, Rion R. Pearson; CLASS B BUILDING CONTRACTOR, Beazer Construction and a CLASS C BUILDING CONTRACTOR, Ray's Construction, were presented. It was moved by Councilman Erickson, seconded by Wood, that these licenses be issued. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The City Clerk asked for Council ratification of the issuance of an AUCTIONEER license to Marly Campbell and a RESTAURANT license to Yogurt Company. It was moved by Councilman Erickson, seconded by Wood, that the Council ratify these previous actions. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

This memo from the Electrical Engineer was then read:

OCTOBER 23, 1986

City of Idaho Falls
October 22, 1986

MEMORANDUM

TO: Mayor and Council
FROM: Steve Harrison
SUBJECT: AUTHORIZATION TO BID FOR A MVA TRANSFORMER FOR
THE GEM STATE PROJECT

The Electric Division requests authorization to bid for a 25 MVA transformer for the Gem State Project. Estimated cost of the unit is \$200,000.00 and is to be paid for by the Gem State Construction Fund.

s/ G. S. Harrison

There being no question nor comment, it was moved by Councilman Hovey, seconded by Wood, that the Electric Division be authorized to bid for a MVA Transformer for the Gem State Project, in the amount of \$200,000.00. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

City Attorney Storer explained the need for amending the dog ordinance and said that the new ordinance provides for a method by which a vicious dog may be disposed of if the dog has bitten more than two people or bitten people on two or more occasions and after giving notice of said action to the dog owner. He then read the new ordinance by title:

ORDINANCE NO. 1946

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 6-3-1 AND 6-3-12 THROUGH 6-3-15, CITY CODE, IDAHO FALLS, IDAHO; AND ENACTING 6-3-16, CITY CODE, IDAHO FALLS IDAHO; DEFINING DOG, DOG OF LICENSE AGE, UNLICENSED DOG, DOG OWNER, DOG AT LARGE, DOG KENNEL, POUND, IMPOUNDED, AND VICIOUS DOG; PROVIDING FOR THE IMPOUNDING AND DISPOSAL OF VICIOUS DOGS; MAKING THE POUNDMASTER AND ASSISTANT ANIMAL CONTROL OFFICERS POLICE OFFICERS FOR THE PURPOSES OF CARRYING OUT THE PROVISIONS OF TITLE 6, CHAPTER 3, CITY CODE, IDAHO FALLS, IDAHO; PROVIDING FOR THE ISSUANCE OF CITATIONS AND THE APPEARANCE OF DOG OWNERS WHO HAVE VIOLATED THE PROVISIONS OF TITLE 6, CHAPTER 3, CITY CODE, IDAHO FALLS, IDAHO; MAKING IT UNLAWFUL FOR DOG OWNERS TO FAIL TO APPEAR IN RESPONSE TO CITATIONS; SETTING FORTH THE PENALTY FOR VIOLATION OF PROVISIONS OF TITLE 6, CHAPTER 3, CITY CODE, IDAHO FALLS, IDAHO; PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

OCTOBER 23, 1986

Councilman Hovey asked who would be responsible to keep track of the fact that a dog has bitten once or twice? Attorney Storer answered that it would be based on complaints from those persons who have been bitten. Mayor Campbell said that current practice is to impound a dog for several days if he has bitten anyone and a record is kept of this, but no record can be kept if it is not reported. 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.

The City Attorney then presented and read the following captioned ordinance:

ORDINANCE NO. 1847

AN ORDINANCE VACATING A PORTION OF CLAIRVIEW LANE WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING SAID PORTION; RESERVING AN EASEMENT WITHIN SAID VACATED STREET; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER, ON BEHALF OF SAID CITY, A QUITCLAIM DEED CONVEYING SAID VACATED STREET TO THE OWNERS OF THE ADJACENT LAND, AND NAMING THEM; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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 ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; 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 Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

There being no further business, it was moved by Councilman Wood, seconded by Hovey, that the meeting adjourn at 7:50 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor