

JULY 22, 1986

The City Council of the City of Idaho Falls met in Recessed Regular Council Meeting, Thursday, July 22, 1986, in the Council Chamber in Idaho Falls, Idaho.

Prior to calling the meeting to order, Mayor Campbell called upon Eagle Scout Jason Maule 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 Ralph Wood, Arthur Chandler, Melvin Erickson, Wesley Deist, Paul Hovey, and Sam Sakaguchi; 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 July 10th was read and approved.

Mayor Campbell honored Eagle Scouts Tyler Sharp, Scott Tobias, Jeremy Clayton, Jason Maule, David Lowry, Jeff Georgeson, Todd Dameron, Bob Hanson and Mike Poulsen. He said that they were a select group of people and the City is very proud of them. Each young man then received a congratulatory handshake from all City Officials around the Council Table and a round of applause from all those present.

The Mayor declared open a public hearing, recessed from June 5th, 1986, until this night, to consider a re-zoning request, and called upon Councilman Wood 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
July 17, 1986

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: PETITION TO REZONE - R-3A TO HC-1 - OLD FASHION WAY ADDITION

Attached is a copy of a rezoning petition submitted by James & Ellen Mason, requesting a zoning be changed from R-3A to HC-1 on the south 198 feet of Lot 1, Old Fashion Way, Division No. 1. This property is located at the northwest corner of the intersection of West Broadway and Buckboard Lane. The petitioner has submitted this request to enable them to move their existing home improvement business to this location.

The Planning Commission, at their regular meeting in May, considered this matter at a public hearing. At that time, two persons appeared to object to the zoning inasmuch as the requested zone permits outdoor storage. After some discussion, the Planning Commission recommended approval of this request.

This Department concurs with this recommendation and the matter is now being submitted for your consideration.

If favorable consideration is given to this rezoning request, the Comprehensive Plan must be changed to reflect this usage change from Multi-Family Residential &/or Professional Office to Community Commercial.

s/ Rod Gilchrist

JULY 22, 1986

Councilman Wood then asked the City Planner to locate the subject property on a map on the wall and further explain the request. Wood then invited those who wished to speak in favor of this request to come forward and be heard at this time.

Mr. James Mason, 487 Starlite Avenue, the requester, appeared to explain the need for the rezoning. He said that the property involved is not included in the restrictive covenants for the Old Fashion Way Addition; therefore, he could operate his type of business on the property if it were rezoned. He said he would construct a concrete fence all around the area to help enclose the outside storage items and enhance the view.

Mr. Lane Archibald, 3234 Londonderry, appeared to state that the protective covenants for Old Fashion Way, Division #1 had been recorded, but did not include Lot 1 of Block 1 or Lots 1 & 2 of Block 2; therefore, in his opinion, the intent of the developer was not to include these three lots under the covenants and, if the City is concerned about the protective covenants in approving this request, he said any problem would be between the developers and those buying lots in this subdivision rather than being a concern of the City.

Councilman Hovey asked if Mr. Mason planned to run a sidewalk along his property back to Buckboard Lane? Mr. Mason said the curbing was already in and it would be no problem to put a sidewalk in there. Hovey also asked about the concrete fence he planned to construct. Mason said it would be a solid cinder block fence six feet high, with three wires on top and he would paint the fence.

City Attorney Storer asked the City Planner, in his opinion, if there had been any change in the area since the Comprehensive Plan had been considered previously? City Planner Gilchrist said that, at the time a request for rezoning had been considered before, the area was vacant and there are now apartment complexes to the north and east of the subject property and a parcel of property to the east of Buckboard has been zoned HC-1.

Councilman Wood then invited those who wished to speak against this rezoning request to be heard at this time.

Mr. Brent Marshall, 2208 Trivet, appeared to state that the residents do not want this business moved to the entrance of the neighborhood. He said that many of his neighbors have sold and left the area because of the value of their homes lowering. He said that his home is worth \$10,000.00 less than it was one year ago because of this eyesore. He asked the City to make this area into a grassy park. He said he has no objection to Commercial Zoning, but there is no control for HC-1 zoning.

Mrs. Carol Mohney, 2324 Chantilly Court, appeared to state that Mr. Mason's business is always a mass of confusion and is a hazard to all in the area. There being no further questions, it was moved by Councilman Wood, seconded by Deist, that this rezoning request be denied. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The Mayor then declared open a public hearing, as legally advertised, to consider a request to rezone Lot 2, Block 2, Old Fashioned Way, Division No. 1 from R-3A to C-1, and asked Councilman Wood to also conduct this hearing. At the request of Councilman Wood, the City Clerk read this explanatory memo from the City Planner.

City of Idaho Falls
July 17, 1986

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist

SUBJECT: PETITION TO REZONE - R-3A TO C-1 - OLD FASHIONED
WAY ADDITION

JULY 22, 1986

Attached is a copy of a request to rezone Lot 2, Block 2, Old Fashioned Way Addition, Division No. 1 from R-3A to C-1. The property is located at the northeast corner of the intersection of West Broadway and Buckboard Lane. This request is being submitted by LeRoy and Linda Gagner, and is being made in order to permit the construction of a retail outlet at this location.

The Planning Commission, at their regular meeting in June, considered this matter at a public hearing, and at that time, no one appeared to object to the zoning. After a brief discussion, the Planning Commission recommended approval of this request.

This Department concurs with this recommendation and the matter is now being submitted for your consideration.

If favorable consideration is given to this rezoning request, the Comprehensive Plan must be changed to reflect this usage change from Multi-Family Residential and/or Professional Office to General Commercial.

s/ Rod Gilchrist

Councilman Wood then asked the City Planner to locate the subject property on a map on the wall and further explain the request. Councilman Wood then invited those who wished to speak in favor of this rezoning to be heard at this time. Mr. Barney Cobb, 1631 Ninth Street, appeared representing the requesters. He said that the Gagner's plan is to have an ace type hardware store constructed on this property, if the request is granted, as they believe this will be a great asset to the west side of the City.

Mayor Campbell asked if this was just speculation or if there were definite plans for the store. Mr. Cobb answered that it was beyond the speculation stage. Two parties are interested in building a hardware store on this location.

Mr. Robert Logan appeared briefly to state that he considered C-1 zoning and a hardware store to be a favorable zone and business for this area.

Mrs. Carol Mohney, appeared stating that she approved this request because she believed in free enterprise and this zoning would allow some control and limits and would not infringe on the rights of others.

There was no one to appear in opposition to this request.

Councilman Hovey asked the City Planner what type of business could be constructed in this area if it were rezoned. The City Planner answered that, primarily, any type of retail business would be allowed. After discussion as to usage of C-1 and HC-1 zones and the City Attorney's assurance from the City Planner that there was sufficient change in the area to warrant the change in the Comprehensive Plan, it was moved by Councilman Erickson, seconded by Deist, that this rezoning request be approved as requested. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, and Deist; No, Councilmen Chandler and Erickson; carried.

It was then moved by Councilman Wood, seconded by Deist, that the Comprehensive Plan be changed to reflect the rezoning just approved. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Mr. Rich Freeman appeared representing the Shelley Chamber of Commerce. He complimented the City for their plans and efforts to improve downtown Idaho Falls. He challenged the City of Idaho Falls to participate in the Idaho Annual Spud Days. He said

this is an annual affair and is not just for Shelley, but the whole State and he asked for the support of the Mayor and Council to help in this event.

JULY 22, 1986

License applications for BARTENDER, Tammie Lin Stevens, James W. Thurman, Mary Ellen Johnson, Patricia Mae Hess, Patricia Jean Lish; CONCESSION, Bonneville Boys Baseball; RESTAURANT, Shopko Stores, Inc.; SECOND HAND STORE, The Second Hand Shop; PHOTOGRAPHER, Brett Edmonson Wheeler, Brad J. McMannis; ELECTRICAL CONTRACTOR, Dial Electric, Mark Robertson Electric; JOURNEYMAN ELECTRICIAN, Mark Robertson, Alan Dial; APPRENTICE PLUMBER, Steve Hogan, Rowland Sucher, Val Stewart, with Ivey's, Inc.; JOURNEYMAN PLUMBER, Lonnie L. Carlson, Michael Braden, Robin L. Hardy, Matt Bradley, Vern C. Hutchens; CLASS C JOURNEYMAN GAS FITTER, Vern C. Hutchens; CLASS C JOURNEYMAN, WARM AIR, REFRIGERATION, Dennis L. Eddins, and a CLASS B BUILDING CONTRACTOR to Kreizenbeck Constructors, Inc., were presented, carrying all required Department Head approvals. It was moved by Councilman Erickson, seconded by Wood, that these licenses which have been approved, be issued. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

The City Clerk asked for Council ratification of the issuance of BARTENDER permits to Tammy Lynn Kruse, James Michael Sackett, Ron B. Ellingford, and Sandra Sanders. It was moved by Councilman Erickson, seconded by Wood, that this previous action be duly ratified. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

The City Clerk asked for Council ratification for the publishing of a legal notice calling for a public hearing on August 7th. Mayor Campbell said that, at this time, it is uncertain if a Quorum will be present for an August 7th meeting. After discussion, it was moved by Councilman Wood, seconded by Deist, that the legal notice be re-advertised for the hearing to be held on August 13th, to insure that a Quorum is present to hold a meeting. The seconded meeting of August was set for August 21st. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

This memo from the City Planner was then read:

City of Idaho Falls
July 17, 1986

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: APPLICATION FOR CONDITIONAL USE PERMIT

Attached is a copy of a request for a Conditional Use Permit submitted by Carol Haddon requesting permission to use an existing residence at 130 E. Anderson Street as a day-care center. This property is described as the west 76-90 feet of Lot 2, Block 2, Rappleye Addition.

The petitioner wished to convert a portion of her residence into a day-care center which would operate five days a week from approximately 6:00 a.m. to 6: p.m. The Planning Commission considered this request at a public hearing in June and at that time no one appeared to protest the matter.

The Planning Commission recommended approval of this request and this Department concurs with this recommendation. The matter is now being submitted for your consideration.

s/ Rod Gilchrist

JULY 22, 1986

Councilman Hovey asked if all adjacent property owners had been notified of this request. City Planner Gilchrist answered that all adjacent residents have signed their approval on the petition. Councilman Wood explained that this request for a Conditional Use Permit would pertain only to the present tenant of the address and would not be valid if she moved and someone else moved in. It was then moved by Councilman Wood, seconded by Deist, that the Conditional Use Permit be granted for Carol Haddon. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Also, from the City Planner, came this memo:

City of Idaho Falls
July 21, 1986

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR STREET NAME CHANGE

This office is requesting a street name change in the Stonebrook Addition in the City of Idaho Falls. This name Change is being made because of a near duplication of a name of a street already in the City. The owner and developer of the property has been contacted and is in agreement with this proposal. There are no other ownerships on any of the affected lots to date.

The present name of the street is "Spring Lane", and also two cul-de-sacs coming off this street which are presently called "Spring Place" and "Spring Court", which will also need to be changed. This proposed name is "Stone Run Lane" (also "Stone Run Place" & "Stone Run Court"). This office has researched this proposed name and finds no conflict or objection to this request.

This Department respectfully requests that the City Attorney be directed to prepare the necessary ordinances to make this change.

s/ Rod Gilchrist

Councilman Deist registered concern that three similar names would be confusing to emergency responders. Other Councilmen agreed this could be a problem. Assistant Fire Chief Hahn said that it is confusing to the Fire Department when street names are so similar. Councilmen Chandler said it is also a problem for dispatchers to properly identify the street name when they are so much alike. After discussion, it was moved by Councilman Wood, seconded by Deist, that the City Attorney be directed to prepare an ordinance to call the two cul-de-sacs and the street "Stone Run Lane". Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

Next, from the City Planner, came this memo:

City of Idaho Falls
July 22, 1986

MEMORANDUM

TO: Mayor and Council

FROM: Rod Gilchrist
SUBJECT: FINAL PLAT - GROWTH CENTER ADDITION, DIVISION
NOS. 1 & 2, FIRST AMENDED PLAT

JULY 22, 1986

Attached is a copy of the final plat of the first amended plat of the Growth Center Addition, Division Nos. 1 & 2. This amended plat is made necessary inasmuch as the proposed development is different than was originally proposed when the property was annexed and subdivided. The Developer is proposing to make four lots out of what was portions of two larger lots.

This matter was recently considered by the Planning Commission and, at that time, it was recommended the Final Plat of the First Amended Plat of the Growth Center Addition, Division Nos. 1 and 2 be accepted.

The Department concurs with that recommendation and the matter is now being submitted for your consideration.

s/ Rod Gilchrist

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

This memo from the Public Works Director was then read:

City of Idaho Falls
July 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE
BIDS/WELL NO. 13 DISTRIBUTION SYSTEM TO ALAMEDA
STREET

Plans and specifications are prepared for installing approximately 1,325 feet of water line located from Well No. 13 to Alameda Street.

The Public Works Division requests authorization to advertise to receive bids for installation of this water line.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that authorization be given to advertise for bids for the Well No. 13 distribution system to Alameda Street. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

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

JULY 22, 1986

City of Idaho Falls
July 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Public Works Director
SUBJECT: OUTSIDE THE CITY SEWER SERVICE CONTRACT -
ANTHONY A. AND DEBRA J. KOVACH

Attached is a proposed agreement for the City to provide outside the City sewer service to Anthony A. and Debra J. Kovach.

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 Council approve the proposed Agreement and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

This memo from the Municipal Services Director was then read:

City of Idaho Falls
July 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: CITY OF IDAHO FALLS EMPLOYEE ASSISTANCE
PROGRAM

It is respectfully requested that the Mayor and City Council authorize the Municipal Services Division to renew it's Employee Assistance Program with Interpersonal Dynamics for a one (1) year period for a fee of \$3,900.00 per year.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Hovey, that the Municipal Services Division be authorized to renew it's Employee Assistance Program with Interpersonal Dynamics for a one year period and for a fee of \$3,900.00. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

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

JULY 22, 1986

City of Idaho Falls
July 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: MUNICIPAL SWIMMING POOL - ORMOND BUILDERS,
CHANGE ORDER NO. 1

Attached is a copy of Change Order No. 1 in the amount of \$583.00 for the additional cost for the deep blue tile color selected for racing lanes and targets in the pool tank.

Sundberg and Associates, Inc. had advised tile bidders that this color would not be selected; but since it has now been decided to use this color, Sundberg and Associates, Inc. has issued a check for the amount of the additional cost and also requests City Council approval of Change Order No. 1.

The Municipal Services Division recommends approval of Change Order No. 1 and respectfully requests approval from the Mayor and City Council.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Hovey, that this Change Order be approved. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

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

City of Idaho Falls
July 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: BID NO. IF-86-27, ONE (1) NEW 1986 OR 1987 STANDARD
CAB AND CHASSIS OR ONE (1) USED STANDARD CAB
AND CHASSIS

Attached is a tabulation for Bid No. IF-86-27, One (1) New 1986 or 1987 Standard Cab and Chassis or One (1) Used Standard Cab and Chassis.

It is the recommendation of the Municipal Services Division, in concurrence with the Electric Division, to accept the low bid of Hirning Pontiac Cad-GMC, Inc. to furnish One (1) New 1987 GMC Standard Cab and Chassis for an amount of \$23,069.00 with trade-in. No bids were received for the used cab and chassis.

Respectfully submitted,
s/ S. Craig Lords

JULY 22, 1986

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

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

City of Idaho Falls
July 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Municipal Services Director
SUBJECT: PUBLICATION OF "NOTICE OF PUBLIC HEARING"
AMENDING THE 1985-1986 FISCAL YEAR
APPROPRIATION

It is respectfully requested that the Council tentatively approve the 1985-1986 Fiscal Year Amended Budget in the amount of \$47,638,464.00.

This represents an increase of \$50,000.00 in the Bridge and Arterial Street Fund (from \$110,000.00 to \$160,000.00), and an increase in the Surface Drainage Fund of \$40,000.00 (from \$50,000.00 to \$90,000.00), or a total increase of \$90,000.00.

Approval is also requested to publish the attached "Notice of Public Hearing", of the 1985-1986 Fiscal Year Amended Budget with publication dates set for July 27, 1986 and August 3, 1986.

The Public Hearing is scheduled for 7:30 p.m., Thursday, August 7, 1986, in the Council Chambers at the Electric Building, 140 South Capital Avenue, Idaho Falls, Idaho.

Respectfully submitted,
s/ S. Craig Lords

Councilman Chandler noted the need to change the publication and the meeting dates due to the previous meeting change. It was moved by Councilman Chandler, seconded by Erickson, that the Council tentatively approve the 1985-1986 Fiscal Year Amended Budget in the amount of \$47,638,464.00 and authorize the publishing of the legal notice with date corrections. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The City Controller was given authorization to pay the bills prior to the August 13th meeting to alleviate any problems.

City Attorney Storer presented the following captioned ordinance:

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND RE-ENACTING
SECTION 7-3-6 THROUGH 7-3-9 CITY CODE,
IDAHO FALLS, BEING PORTIONS OF ORDINANCE

NO. 1666, ORDINANCES OF THE CITY OF IDAHO
FALLS, IDAHO; SETTING FORTH APPLICATION
REQUIREMENTS FOR PERMIT TO SELL "SAFE AND

JULY 22, 1986

SANE FIREWORKS"; SETTING FORTH PERMIT FEE AND CONDITIONS FOR ISSUANCE; SETTING FORTH REQUIREMENTS FOR THE LOCATION, CONSTRUCTION, AND OPERATION OF FIREWORKS STANDS; SETTING FORTH REQUIREMENTS FOR STORAGE AND TRANSPORTATION OF "SAFE AND SANE FIREWORKS" PROVIDING FOR EFFECTIVE DATE OF ORDINANCE.

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 read in full be dispensed with and the ordinance be passed on its first and second readings only. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Councilman Erickson stated that the Mayor and Council had recently met with the Downtown Steering Committee and they requested that the Council eliminate the Downtown parking restriction of "two hour" parking on Saturdays. It was moved by Councilman Erickson, seconded by Chandler, that the City Council approve this request to eliminate the "two hour" parking in the Downtown area and that this, also, be referred to the City Attorney to prepare the necessary documents.

It was then moved by Councilman Erickson, seconded by Wood, that the City Council issue an executive order that "two hour" parking in the downtown area begin July 26, but that the parking in the Library parking lot remain as it is now posted. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Councilman Erickson also directed attention to the need for street directional signing, designating where off-street public parking areas exist. It was moved by Councilman Sakaguchi, seconded by Chandler, that this matter be referred to the Public Works Committee for review.

There being no further business, it was moved by Councilman Hovey, seconded by Chandler, that the meeting adjourn at 8:20 p.m.; carried.

s/ Velma Chandler
CITY CLERK

s/ Thomas Campbell
MAYOR

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