

**MAY 22, 1986**

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

Prior to calling the meeting to order, Mayor Campbell called upon Scout Justin Watkins from Troop No. 345, 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 Tom Campbell; Councilmen Arthur R. Chandler, Melvin L. Erickson, Wesley W. Deist, Paul L. Hovey, Sam S. Sakaguchi; Absent was: Councilman Ralph M. Wood. There were 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 May 8, 1986, was read and approved by the unanimous vote of the Council.

Mayor Campbell then asked Councilman Sakaguchi to escort City Employee Retiree Tom Williams to the Council Table. The Mayor congratulated Tom for his years of dedicated service to the City. He presented Tom with an inscribed gold watch, after which Tom 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 honored Eagle Scouts Scott Maxfield, Charles O'Donnell and Warren Fitch. He said that the whole community is proud of our Eagle Scouts and congratulated them for having obtained this award. He presented each scout with a framed certificate of appreciation. The Scouts then received a congratulatory handshake from all City Officials around the Council Table and a round of applause from all those present.

The Mayor then declared open a public hearing to consider an appeal from a decision of the Board of Adjustment, concerning a request for a variance submitted by Kaye Christensen, 1847 Moran, and called upon Councilman Deist to conduct the hearing. At the request of Councilman Deist, the City Clerk read this memo:

City of Idaho Falls  
May 21, 1986

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist, Planning and Building Director  
SUBJECT: VARIANCE APPEAL FROM DECISION OF BOARD OF ADJUSTMENT

Attached is a copy of an application for a variance submitted to the Board of Adjustment by Kaye Christensen of 1847 Moran. The request is for a side and rear yard variance on an existing cinder block building.

The homeowner constructed the cinder block building on an existing concrete slab. The storage shed is approximately one and one-half feet (1-1/2') from the rear property line and two feet (2') from the side property line and encroaches into a utility easement. The property is located in the RPA zone which requires five feet (5') of rear and side yards for accessory buildings. An underground power line was located in the utility easement and has since been relocated at the owners expense.

The Board of Adjustment recently considered this matter and denied the variance. After reviewing the circumstances surrounding this request, this Department recommends approval of the variance. This matter is now being submitted for your consideration.

s/ Rod Gilchrist

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Councilman Deist then asked the City Planner to further explain the request and locate the subject property on a map on the wall.

There was no one to appear either for or against this request. Therefore, it was moved by Councilman Deist, seconded by Sakaguchi, that the variance be granted. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

Mr. Monte Howell appeared concerning the fact that he had been classified as an Itinerant Merchant when applying for a license to sell Memorial Day flowers from a trailer home by Rush Auto and, more particularly, to the acquiring of a bond for a four-day period. It was moved by Councilman Erickson, seconded by Deist, that this matter be referred to the Police Committee for further review and handling. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

License applications for AUCTIONEER, Benny Tanaka; BARTENDER, Victor F. Ramos, Jimmie Jay Griggs, Don Wayne Potter, Leland Joseph Johnson, Pattie J. Jarred; RESTAURANT, Mama Inez, Valerie Hathaway, Ada and Bob's Concessions; WINE BY THE DRINK, Mama Inez; ELECTRICAL CONTRACTOR, Larsen of Idaho; JOURNEYMAN ELECTRICIAN, Gordon R. Turnbow, Robert L. Pattee, Bruce Cooper, Greg Wood; JOURNEYMAN PLUMBER, Terry Trujillo; CLASS A CONTRACTOR, WARM AIR, WET HEAT, GAS FITTER, AND REFRIGERATION, Applied Solar Gain, Inc.; JOURNEYMAN CLASS A, WARM AIR, WET HEAT, GAS FITTER, AND REFRIGERATION, Michael R. Cook, Duane R. Abbott; CLASS C JOURNEYMAN, WARM AIR, AND GAS FITTER, Elizardo Max Mora; CLASS C BUILDING CONTRACTOR, Wallcraft Construction, Gary L. Hanson, and Fisher Custom Homes, were presented. It was moved by Councilman Erickson, seconded by Deist, that these licenses be approved for issuance. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

A TO BE CONSUMED ON THE PREMISES BEER License application was presented in favor of Mama Inez, carrying all required approvals, but in need of Council authorization for issuance. It was moved by Councilman Erickson, seconded by Deist, that this license be approved for issuance. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The City Clerk asked for Council ratification of the issuance of TAXI OPERATOR, Richard B. Long, Douglas J. Scott; BARTENDER, Percy J. Hill, Patsy C. Ellingford, Charles Victor McIsaac, Kevin Hyrum McLain, DeeWayne Hargrove, Cynthia Renee' Walker; BEER TO BE CONSUMED ON THE PREMISES, The Wine Cellar; WINE BY THE DRINK, The Wine Cellar, licenses, carrying all required Division Director approvals. It was moved by Councilman Erickson, seconded by Deist, that the Council ratify these previous actions. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

The City Clerk asked for Council ratification of the publishing of legal notices calling for the hearing held this night and two hearings to be held on June 5th. It was moved by Councilman Chandler, seconded by Hovey, that the Council ratify this action. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Chandler, and Erickson; No, none; carried.

This memo from the Airport Manager was then read:

City of Idaho Falls  
May 20, 1986

MEMORANDUM

TO: Honorable Mayor and Councilmen  
FROM: Airport Committee  
SUBJECT: AMENDMENT TO AIRPORT LEASE AGREEMENT - RED  
BARON AG SERVICE

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Dan and Edna Hahn, dba Red Baron Ag Service, have submitted a signed Amendment Number Two to their Airport Lease Agreement.

The Amendment clarifies the definition of annual gross sales. No other changes to the terms and conditions are made.

The Amendment has been reviewed by the City Attorney.

The Airport Committee respectfully requests authorization for the Mayor and Clerk to sign the Amendment.

s/ Jim E. Thorsen

There being no questions nor comment, it was moved by Councilman Deist, seconded by Hovey, that the Mayor and City Clerk be authorized to sign the Amendment to the Airport Lease Agreement with Red Baron Ag Service. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

This memo from the Municipal Services Director was then read:

City of Idaho Falls  
May 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: S. Craig Lords, Municipal Services Director  
SUBJECT: MODIFICATION TO LEASE AGREEMENT FOR "19TH HOLE CAFE"

Attached are signed copies of a proposed Modification to Lease Agreement between the City of Idaho Falls and Renee' Walsh and Karen Stueve for the "19th Hole Cafe" with a refreshment stand located at Pinecrest Golf Course.

The proposed Agreement has been prepared by the City Attorney and approved by the Golf Course City Council Committee and the Golf Course Manager. The Municipal Services Division, along with the General Services Department, recommends this Modification to Lease Agreement and respectfully requests the approval of the City Council to authorize the Mayor and City Clerk to sign this Agreement.

Respectfully,  
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Erickson, that the Council authorize the Mayor and City Clerk to sign the Modification to the Lease Agreement for the 19th Hole Cafe. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

This memo from the Public Works Director was then read:

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City of Idaho Falls  
May 21, 1986

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Public Works Director  
SUBJECT: BID AWARD, WELL NO. 13 - 11a-48 - TANK ROOF REPAIR

Attached is the tabulation of bids on the repair of the tank roof at Well No. 13. The low bid provided by Ovard and Collins of Idaho Falls was within the Engineer's Estimate and has been reviewed and recommended by the Engineer, Harper-Leavitt Engineering.

It is the recommendation of Public Works that the City Council award the bid for repair of Well No. 13 Tank Roof to Ovard and Collins in an amount of \$14,450.00 and authorize the Mayor to sign the contract documents.

Respectfully,  
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the bid be awarded to Ovard and Collins for the repair of the tank roof at Well No. 13 in the amount of \$14,450.00 and the Mayor be authorized to sign the contract documents. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

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

City of Idaho Falls  
May 13, 1986

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS FOR PAINTING THE WATER TOWER

The specifications and bid documents have been prepared for painting the water tower located 140 South Capital. The Public Works Division requests authorization to advertise to receive bids for this project.

Respectfully,  
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Deist, that the Public Works Division be authorized to advertise for bids as requested. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The City Attorney presented a City Redemption and Tax Deed in favor of Wennie F. Paulsen:

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**R E S O L U T I O N**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and be Deed of the City Treasurer, dated the 28th day of February, 1986, recorded as Instrument No. 700451 in the records of Bonneville County, Idaho, acquire title to and possession of the following-described real property, to-wit:

Lots 9-12, inclusive, Block 9, Capital Hill Addition to the City of Idaho Falls, Bonneville County, per the recorded plat thereof.

WHEREAS, Wennie F. Paulsen has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW, THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to execute and deliver to the said Wennie F. Paulsen a Quitclaim Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 22nd day of May, 1986.

APPROVED BY THE MAYOR this 22nd day of May, 1986.

s/ Thomas Campbell  
MAYOR

ATTEST:

s/ Velma Chandler  
CITY CLERK

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

The City Attorney presented another City Redemption and Tax Deed in favor of Lloyd Heyrend:

**R E S O L U T I O N (Resolution No. 1986-05)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by Deed of the City Treasurer, dated the 1st day of March, 1984, recorded as Instrument No. 658391 in the records of Bonneville County, Idaho, acquire title to and possession of the following-described real property, to-wit:

Lots 1-4, inclusive, Block 9, Capital Hill Addition to the City of Idaho Falls, Bonneville County, per the recorded plat thereof.

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WHEREAS, Lloyd Heyrend has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW, THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to execute and deliver to the said Lloyd Heyrend a Quitclaim Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 22nd day of May, 1986.

APPROVED BY THE MAYOR this 22nd day of May, 1986.

s/ Thomas Campbell  
MAYOR

ATTEST:  
s/ Velma Chandler  
CITY CLERK

It was moved by Councilman Chandler, seconded by Hovey, that the Mayor and City Clerk to authorized to sign this Resolution and Tax Deed, also. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Councilman Erickson stated that the memo concerning the modification to the lease for the 19th Hole Cafe should have included the recommendation to refund the fees which had been paid for the Snack Shack at Pinecrest. Therefore, it was moved by Councilman Erickson, seconded by Chandler, that the fee paid previously for the 19th Hole Cafe Snack Shack beer license be refunded. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

Councilman Erickson said he felt it appropriate at this time to call the Council's attention to the fine manner in which the Public Safety Units respond to accidents and other serious situations. He said the Mayor and Council should be very proud and happy that the City has the fine response units available within the City.

There being no further business, it was moved by Councilman Erickson, seconded by Sakaguchi, that the meeting adjourn at 7:55 P.M.

s/ Velma Chandler  
City Clerk

s/ Thomas Campbell  
Mayor

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