

DECEMBER 5, 1985

The City Council of the City of Idaho Falls, Bonneville County, Idaho, met in regular public session at the regular meeting place of the Council in the Council Chamber at the City Electric Building, 140 South Capital Avenue, Idaho Falls, Idaho, at 7:30 P.M., on December 5, 1985. Prior to calling the meeting to order, the Mayor called upon Travis Hoover from Boy Scout Troop 317, to come forward and lead all those present in the Pledge of Allegiance to the Flag. The roll was called and the following found to be present: Mayor Thomas Campbell; Councilmen Melvin Erickson, Paul Hovey, Ralph Wood, Sam Sakaguchi, Wesley Deist and Arthur Chandler. There were also present: Velma Chandler, City Clerk; G.S. Harrison, Manager of Electric Light Division; Dale Storer, City Attorney.

Minutes of the last Regular Council Meeting held November 21st and a Special Session held November 26th 1985, were summarized and approved.

Mayor Campbell explained that a request to rezone a parcel of property was to be considered this night. He said that this would require two hearings as the Comprehensive Plan must be changed before the property could be rezoned. The Mayor asked Councilman Wood to conduct the hearings, suggesting that the Council hear testimony either for or against the rezoning of the property first and then, if necessary, make two motions to accomplish what is legally necessary.

City Attorney Storer stated that this matter had been before the City Council some time ago and the request was denied. He said there is a provision in the City Code that prohibits entertaining another hearing more frequently than every six months. There are exceptions to that rule, the primary one being, that if proper notice was not given or, if the parties were not given fair opportunity to be heard, it should be determined if there is proper cause to reopen the hearing. He said that the property owners should provide evidence that the Council should reopen the hearing.

Upon invitation from Councilman Wood, Attorney Mike Crapo, 2005 Charlotte, appeared representing the property owners who are submitting this request. He said that the property owners felt it might be advisable to have an attorney present at this hearing to make sure that all the basics were covered in this hearing. He presented written documentation from several property owners that they did not receive proper notice of the previous hearing. He said that several persons were also present this night to testify that they had not been notified of the prior hearing. He presented an affidavit from Mr. Michael S Purles, and another one with eleven signatures, signifying that the signers had not received notice of the first hearing. These papers were presented to the City Clerk to be placed on file. He then asked others who were present to be heard at this time. He said, further, that under the recent case law of Gavers and Bonneville County Commissioners, and the Idaho Code, Section 67-6509, as well as the City's zoning ordinance, that the failure to give proper notification of the hearing is sufficient justification to reopen the hearing. He then invited others who had not received notification of the hearing to briefly give testimony to this fact.

Mr. Gary Thomas, 1750 Coronado Avenue, appeared stating he had an interest in the property in question. He said he received no notification whatsoever of the prior hearing and said he would petition and request that the hearing be reopened.

Dr. Krantz, Trustee for the Idaho Falls Clinic Pension Trust, appeared. He said he represents eleven different employees, all of whom have vested interest in this property and all of them are very anxious to have it rezoned. He said he had not been notified of the prior hearing.

Councilman Wood said, that, on the basis of the testimonies that have been presented, he would move to reopen the hearing. This motion was seconded by Councilman Deist. An unidentified man in the audience asked "what constitutes proper notification?" The City Attorney answered that the Code required a written notice be mailed to the property owner of record. The unidentified man then asked "was there written notice in fact mailed

and, who is responsible to mail such notices?" City Planner Gilchrist said that it had been determined that written notice had not been sent to one group of property owners, inasmuch

DECEMBER 5, 1985

as their name was not on the County rolls when the mailing list was obtained. He said notice was sent to Mr. Willard who was out of town at the time, but the notice had not been returned to his office.

Mr. Jim Johnson, 980 E. 15th Street, appeared to state that he felt the City had made an honest effort to notify the residents and he could see no reason to reopen the hearing.

Mr. Veldon Hix, employee of Mr. Miles Willard appeared. He said that he was in command while Mr. Willard was out of town, but he received no notice of the hearing and heard about it only after the hearing had been held and the request denied.

Attorney Crapo re-appeared to state that a number of property owners have testified that they did not receive notice of the hearing, and the City has admitted that proper notice was not sent to some owners. Both Idaho and City Code requires that written notices be sent and he believes that the testimony this night will constitute the necessity of reopening the hearing.

Councilman Wood then restated his motion to reopen the hearing. This motion was seconded by Councilman Deist. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

Mayor Campbell then declared open a public hearing to consider amending the Comprehensive Plan for the purpose of rezoning property on the North side of 17th Street and asked Councilman Wood to conduct the hearing. At the request of Councilman Wood, the City Clerk read the following two memos from the City Planner:

City of Idaho Falls
December 4, 1985

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUESTED AMENDMENT TO COMPREHENSIVE PLAN

This Department has received a requested rezoning on a parcel of property located on the north side of East 17th Street and east of June Avenue which is in conflict with the present Comprehensive Land Use Plan. If this rezoning is to be considered, the Comprehensive Plan must be amended.

The Planning Commission, at their August meeting, considered this item and at that time recommended the Plan be amended from Residential and Multi-Family Residential to Community commercial.

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

s/ Rod Gilchrist

City of Idaho Falls
December 4, 1985

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist

SUBJECT: REZONING REQUEST - PROPERTY ON NORTH SIDE OF
17TH STREET, EAST OF JUNE AVENUE

DECEMBER 5, 1985

Attached is a copy of a rezoning petition requesting a rezone from R-3A and R-1 to RSC-1 on the property between 17th Street and the canal to the north, the Buck-Sullivan Funeral Home east to the Saving Center property. This parcel is approximately 11 acres in size.

The City Council considered this matter at an earlier date, and at that time the matter was denied, inasmuch as no one appeared to represent the petitioners. It was later learned that one group of owners of the subject property had not been notified of the hearing. After conferring with the City Attorney, it was decided this matter should be brought back before the City Council.

This item was considered at a public hearing at the August meeting of the Planning Commission, and at that time it was recommended the rezoning of the property to RSC-1 be approved. Also, an additional recommendation that there be no access to the property from 15th and 16th Streets was made, and that adequate buffering of the adjacent property be provided and shown on the development plan.

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

s/ Rod Gilchrist

Councilman Wood then invited anyone who wished to make a presentation in favor of amending the Comprehensive Plan to be heard at this time.

Attorney Storer wanted to clarify that the Council would now accept evidence and and combine hearings on both amendment of the plan and on the rezoning.

Attorney Mike Crapo reappeared to introduce briefly what the owners feel justification to rezone the property. He reviewed the changes that have been made along 17th Street to justify modification of the plan and subsequent rezoning.

Mr. Richard Clayton, Jr., appeared briefly. He is one of the owners of the subject property. He said there will be adequate buffers, clearing up of the area, create a better tax base and would help, not hinder, the traffic flow.

Mr. Bill Kishiyama, 501 E. 17th Street, appeared to state that his property has already been degraded and he has been requested to give some of his property for the widening of Holmes Avenue. He implored the Council to give this matter serious consideration.

Mr. Miles Willard, 229 N. Lloyd Circle, one of the property owners appeared to state that he did not get notice of the hearing and he is in support of this concept.

Mr. Grant Shippen appeared to state that he owns two parcels of property on 17th Street and he feels that it is time to rezone the property from Holmes Avenue to the Savings Center to a commercial area.

There were no others present who wished to speak in favor of this issue. Councilman Wood then invited those who were opposed to be heard at this time.

Mr. Jim Johnson, 990 E. 15th Street, appeared to present a petition containing approximately 112 signatures, the body of said petition is as follows:

We the undersigned oppose the change in zoning for the property east of June Avenue and North of 17th Street to the canal to 15th Street on the East. This

does not include property directly behind Buck Sullivan.

DECEMBER 5, 1985

Mr. Johnson presented some of the basic reasons the residents are against the rezoning, namely; no need for more commercial property; utilize that property now zoned commercial and not being used; residential area all around; and increase problems.

Mrs. Myrtle Asper, 989 E. 15th Street, appeared briefly to state that she has never had a better neighbor than the area well and she feels that the area should remain residential.

Mr. Kevin Twitchell, 1580 June Avenue, appeared to draw attention to the traffic problems in the area now and dangerous situations for school children. He said that this is a great residential area and he asked the Council to deny this request.

Ms. Kathy Johnson appeared to draw attention to the fact that the developers do not live in the area so they don't care. She said she would rather have condominiums than commercial development in this area. She said that the reason the developers do not want to develop residentially is that this would only bring them about \$200,000.00 and they can get \$600,000.00 if they go commercial.

Mrs. June Oler, 1530 June Avenue, appeared to state that she had no faith in commercial developers—they are only out to increase their profits at others expense.

Mr. John Burt, 784 E. 16th Street, appeared to state that the problems of the whole neighborhood are on 17th Street. He said it is not wise to try to solve 17th Street's problems at the expense of the residents. He said the Funeral Home was built in a residential area as it is of residential nature. He said he did not believe it fair to try to solve 17th Street's problems by making problems for others.

Mr. Burt said that, in his opinion, buffer zones were essential if this plan were approved and asked if enforcement of this could be controlled. It was explained by the Mayor that these type of things are included in the Development Agreement and, if the property is rezoned, an agreement will have to be drawn up and enforced. It was determined that the issues to which Mr. Burt was speaking are not even under consideration and not included in the request being considered this night.

Mr. Martin Frandsen, 729 E. 16th, appeared to state that he opposes this rezoning for all the reasons covered this night, but mostly he opposes it because of dangerous conditions for his school children.

Mr. Clayton reappeared to take exception to the petition containing 114 signatures. He said that there are not that many residents involved. He said this proposal will not increase traffic, but residential development will increase population and traffic.

Councilman Deist asked Mr. Clayton if he would consider constructing a six foot cinder block wall for both the east and west sides of the property? Mr. Clayton said it was planned for condominiums on the west side but he would consider a cinder block wall if it would be required.

Mr. Jim Johnson appeared again to state that all petition signers are area residents. He said that the Buck-Sullivan property should not even be considered this night as it was not included in the request.

A debate then followed for a short period with rebuttals on comments previously made by both sides.

Sherry Edwards asked the Council to "please not mess up 14th Street like they have 17th Street".

Mrs. Virginia Rasmussen, 651 E. 15th Street, appeared to state that they like their area as it is and she does not want to live in a mall.

There being no further comment, it was moved by Councilman Wood, seconded by Erickson, that the Comprehensive Plan not be amended at this time. Roll call as follows: Ayes, Councilmen Erickson, Hovey, and Sakaguchi; No, Councilmen Chandler, Deist, and

Wood. The vote being a tie, Mayor Campbell voted yes to break the tie and to not amend the Comprehensive Plan.

DECEMBER 5, 1985

It was then moved by Councilman Wood, seconded by Deist, that the rezoning request on this property be denied on the basis that it would not be consistent with the Comprehensive Plan. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The Mayor then called for a five minute recess.

Upon reconvening the meeting, the Mayor asked that the annexation proceedings for a street right-of-way on Lincoln Road be conducted. This memo from the City Planner was read by the City Clerk:

City of Idaho Falls
December 4, 1985

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: ANNEXATION - STREET RIGHT-OF-WAY ON LINCOLN ROAD

Attached is a copy of an annexation ordinance for a small portion of right-of-way for Lincoln Road. This is a portion of a dedicated right-of-way on the last remaining parcel between the canal and Woodruff Avenue that is not within the City Limits at this time.

The Planning Commission recently considered this matter and recommended at that time it be annexed to the City and zoned HC-1 (Highway Commercial).

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

s/ Rod Gilchrist

There was no one to appear concerning this annexation request.

ORDINANCE NO. 1811

AN ORDINANCE ANNEXING CERTAIN LANDS TO
THE CITY OF IDAHO FALLS: DESCRIBING SAID
LAND AND DECLARING SAME A PART OF THE CITY
OF IDAHO FALLS, IDAHO.

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 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.

DECEMBER 5, 1985

The Mayor then declared open a public hearing to consider the initial zoning of the newly annexed property. There were no questions nor objections, therefore, it was moved by Councilman Wood, seconded by Deist, that the zoning be established as HC-1 as requested. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Mr. Steve Loflin, 2341 Calico Circle, appeared before the Council to discuss a problem where residents of Old Fashion Way are claiming taxation without representation after the New Sweden Irrigation District began charging them for water they don't use. Mayor Campbell said he had tried to help these residents, but found out it is a State, not City matter. Mr. Loflin asked the City Council to investigate more thoroughly before annexing area to help alleviate problems of this nature. Mayor Campbell said this was a good idea.

Bills for the month of November, 1985, were presented:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT	\$ 961,688.07	\$ 65,519.77	\$ 91,183.92	\$ 140,822.17
SALARY	635,204.16	48,319.31	19,093.97	103,409.40
TOTAL	\$1,596,892.23	\$ 113,839.08	\$ 110,277.89	\$ 244,231.57
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP IMP</u>
SERV/MAT	\$2,249,486.09	\$ 31,401.38	\$ 9,339.81	\$ 1,700.25
SALARY	139,298.49	51,260.99	13,477.70	.00
TOTAL	\$2,388,784.58	\$ 82,662.37	\$ 22,817.51	\$ 1,700.25
	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>WAT/CAP IMP</u>	<u>AMBULANCE</u>
SERV/MAT	\$ 8,434.94	\$ 49,223.64	\$ 5,256.00	\$ 30,299.58
SALARY	30,706.89	.00	.00	31,159.24
TOTAL	\$ 39,141.83	\$ 49,223.64	\$ 5,256.00	\$ 61,458.82
	<u>MUN EQUIP FD</u>	<u>SURFACE DRAIN</u>	<u>CITY TOTALS</u>	
SERV/MAT	\$ 29,570.00	\$ 1,763.42	\$ 3,675,689.04	
SALARY	.00	.00	1,071,930.15	
TOTAL	\$ 29,570.00	\$ 1,763.42	\$ 4,747,619.19	

There being no questions nor comment, it was moved by Councilman Chandler, seconded by Sakaguchi, that the Controller be authorized to pay the bills. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

Monthly Reports from Division and Department Heads were presented for the month of November, 1985, and there being no objections, were ordered placed on file in the Office of the City Clerk.

License applications for CLASS D CONTRACTOR, Louis Smith; MASTER PLUMBER, Smith Plumbing and Heating; JOURNEYMAN PLUMBER, Louis Smith; JOURNEYMAN ELECTRICIAN, Walter H. Johnson; APPRENTICE ELECTRICIAN, Dick Gardner and Alen Dayley with Down's Electric, and Chris Chatterton with Perrenoud Electric Service; TAXI OPERATOR, Dennis D. Dye, Michele Osborn; BARTENDER, Bernadette Balkouetz, Tina Lee Davis, Shirley Marie Rowland, Ronald A. Wright, Debra Ann

Kunz, Donald Francis Schloth; BAKERY, Buttrey Foods, Inc. and Smith's Food King;
CONCESSION, Skate Palace for 1985 and 1986, Common Cents Food Store (2); ICE CREAM,

DECEMBER 5, 1985

Smith's Food and Drug; GROCERY STORE, Stinker Station, The Jiffy Mart, Smith's Food King, Buck's, Buttrey Foods, J. H. Boozer Oil, Common Cents Food Store (2), Holiday Market, Midget Market; MEAT MARKET, Smith's Food King, Buttrey's, Holiday Market, Midget Market; RESTAURANT, Stock Yard Cafe, Charlie's, Pizza Hut, Inc. (2), Skyway Bar; DANCE HALL, Matador, Skyway Bar; POOL HALL, Matador, Ray's Western Bar, Samoa Club, Skyway Bar, R & R Bar; LIQUOR, The Matador, Ray's Western Bar, Samoa Club, Skyway Bar; RETAIL WINE, Skaggs on Broadway, The Jiffy Mart, Smith's, Buck's, Buttrey Foods, Boozer Oil, Common Cents Food Stores (2), Midget Market, Safeway No. 232, Safeway No. 365; WINE BY THE DRINK, R & R Bar, Midget Market; BUILDING CONTRACTOR CLASS A, Wilcox Construction, O. K. Construction, Inc., Freitas-Lancaster Construction, Ormond Builders, Heyrend Builders, Inc., Bateman-Hall, Inc., Clark Brothers Development Company, Inc., Briggs Builders, Inc., Bradford Roofing and Insulation Company; BUILDING CONTRACTOR CLASS B, Builders, Inc., Besor Construction, Inc., Olsen Design and Construction, Custom Construction, Inc., B & W Construction, Neahl H. Johnson, The Door Shop, Charles Kelly Construction, David Fjeld Construction, Duane Mitchell and Associates, Tam and Jensen Construction Company, Inc., Signature Homes, Herring Construction, Richard's Custom Homes, Kelly Home Builders, Co-Pro, Inc., Ben P. Gomm, Hansen Building and Remodeling, G. H. G. Investment Company; BUILDING CONTRACTOR CLASS C, Zimmerman Construction, Flynn Construction Company, Rand K. Olsen Construction, Richard Hanks Construction, Brian Johnson; RESTAURANT, K-Mart, Westbank Coffee Shop, Shakey's; GROCERY STORE, Tramp's Car Wash, K-Mart, Broadway Texaco, Gas 'N' Grub, Hall Park Gas; SNACK BAR, Hall Park Gas; DELICATESSEN, K-Mart; HOTEL-MOTEL, Quality Inn Westbank; DANCE HALL, Westbank Coffee Shop-Lounge; RETAIL WINE, Hall Park Gas, K-Mart, Broadway Texaco, Gas 'N' Grub; RETAIL LIQUOR, Westbank Lounge, were presented. It was moved by Councilman Erickson, seconded by Deist, that these licenses be issued, subject to the approval of the proper Division Directors, where required. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

BEER LICENSE applications were presented for Albertson's No. 138 (17th Street), Pizza Hut, Matador Lounge, Ray's Western Bar, Jiffy Mart, Samoa Club, Smith's Food King, Buck's, Buttrey's, Charlie's, Stinker Station, Osco Drug (Broadway), and Boozer Oil. It was noted that these applications carried all approvals except Council authorization. It was moved by Councilman Chandler, seconded by Deist, that these licenses be issued. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

The City Clerk asked for Council ratification of issuing a BARTENDER PERMIT to Joe M. Herrera, with all approvals, but without Council authorization. It was moved by Councilman Erickson, seconded by Deist, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

From the Municipal Services Director came this memo:

City of Idaho Falls
December 4, 1985

MEMORANDUM

TO: Honorable Mayor and Council
FROM: S. Craig Lords, Municipal Services Director

SUBJECT: BID NO. IF-86-1, EXTRICATION EQUIPMENT

DECEMBER 5, 1985

Attached are copies of the Tabulation of Bids for IF-96-1 with the recommendation from the Fire Chief.

It is the recommendation of the Municipal Services Division and the Fire Department that all bids be rejected and rebid. The apparent low bidder did not comply with all of the bidding requirements and the other bid is too high for the same system as the apparent low bid.

Respectfully submitted,
s/ S. Craig Lords

It was moved by Councilman Chandler, seconded by Sakaguchi, that all bids for extrication equipment be rejected and authorization be given to re-advertise. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

From the Electrical Engineer, came this memo:

City of Idaho Falls
December 3, 1996

MEMORANDUM

TO: Mayor and Council
FROM: Steve Harrison, Manager, Electric Division
SUBJECT: RECOMMENDATION THAT ORDINANCE NO. 1807 BE AMENDED (REFUNDING OF 1981 BULB TURBINE BONDS)

The City's Bond Counsel has recommended that Ordinance No. 1807 which relates to refunding of the 1981 (Bulb Turbine Bonds) be amended.

The attached letter from Chapman and Cutler discusses the reasons for such amendment.

The Electric Division recommends favorable consideration of this amendment which will be presented to you by the City Attorney.

s/ G. S. Harrison

The Mayor then stated that one purpose of the meeting was to amend Ordinance No. 1807 adopted on November 7, 1985, authorizing the issuance and sale of the \$40,425,000 Electric Revenue Refunding Bonds, Series 1985, of the City in order to provide for the contingency of the postponement of the delivery of the bonds because of the temporary inability to fund the escrow account with State and Local Series United States Treasury Securities.

Ordinance No. 1810 was thereupon introduced in written form by the City Attorney and was read by title. Councilman Hovey moved, and Councilman Wood seconded, that the rule requiring the reading of the ordinance three different days and once in full be dispensed with and the motion was adopted by the vote of not less than one-half plus one of the members of the full Council, to-wit: Ayes, Councilmen Erickson, Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

Thereupon, pursuant to motion made by Councilman Hovey, and seconded by Councilman Wood, Ordinance No. 1810 was adopted by the following votes: Ayes, Councilmen Erickson, Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

DECEMBER 5, 1985

Ordinance No. 1810 was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, and was ordered recorded, caption of which is as follows:

ORDINANCE NO. 1810

AN ORDINANCE AMENDING ORDINANCE NO. 1807 ADOPTED NOVEMBER 7, 1985, ENTITLED: "AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF \$40,425,000 ELECTRIC REVENUE REFUNDING BONDS, SERIES 1985, AND REFUNDING OF \$39,405,000 ELECTRIC REVENUE BONDS, SERIES 1981, OF THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO."

The foregoing ordinance was presented in title. It was moved by Councilman Hovey, 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 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.

Next, from the Electrical Engineer, came this memo:

City of Idaho Falls
December 2, 1985

MEMORANDUM

TO: Mayor and City Council
FROM: Steve Harrison, Manager, Electric Division
SUBJECT: CONTRACT NO. DE MS79-81BP900829

Attached for your consideration is the Contract Close-out Agreement for the BPA short term conservation program through September 30, 1983.

This agreement finalizes all work completed and payments made under the short-term conservation program. Final audits reveal that the City over-billed BPA for travel and water heater wraps in the amount of \$6,750.00.

The Electric Division agrees with the audit results and recommends that the Mayor be authorized to execute the close-out agreement and refund the \$6,750.00 to BPA.

The City Attorney has reviewed this Agreement.

s/ G. S. Harrison

DECEMBER 5, 1985

Councilman Hovey reported that periodic audits are made in this project and it was found in the last audit, apparently, the City charged BPA \$6,750.00 more than the City is entitled to. It was moved by Councilman Hovey, seconded by Wood, that the Mayor be authorized to execute the close-out agreement and that the City refund to BPA the amount of \$6,750.00. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

From the Airport Manager came this memo:

City of Idaho Falls
December 5, 1985

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: EXTENSION TO LEASE AGREEMENT - YELLOWSTONE
PARK DIVISION, TWA SERVICES

Yellowstone Park Division, TWA Services has submitted a signed extension to their Lease and Concession Agreement to operate their commercial bus service to and from the Airport.

The Extension has been previously reviewed by the City Attorney.

The Airport Committee recommends that the Mayor and Clerk be authorized to execute the Extension to Lease Agreement.

s/ Jim Thorsen

It was moved by Councilman Hovey, seconded by Chandler, that the Mayor and City Clerk be authorized to execute the extension to the lease agreement with Yellowstone Park Division, TWA Services. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

Next, from the Airport Manager, came this memo:

City of Idaho Falls
December 5, 1985

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: EXTENSION TO AGREEMENT FOR PROFESSIONAL
SERVICES - DISPLAY ADVERTISING - AIRPORT TERMINAL
BUILDING

Laura J. Watlington has submitted a signed extension to agreement for Professional Services for Display Advertising in the Airport Terminal Building.

The Extension reaffirms all existing contract items and is for a one year period.

The Extension has been reviewed by the City Attorney.

DECEMBER 5, 1985

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

s/ James Thorsen

It was moved by Councilman Hovey, seconded by Chandler, that the Mayor and City Clerk be authorized to execute the extension to the agreement with Laura Watlington for Display Advertising at the Airport Terminal Building. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The City Attorney presented the following captioned ordinance:

ORDINANCE NO. 1812

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 5-12-12, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO, RELATING TO THE HOURS OF SALE FOR LIQUOR BY THE DRINK; PERMITTING SALE OF LIQUOR BY THE DRINK ON SUNDAY IN BANQUET AREAS OR MEETING ROOM FACILITIES; PROVIDING FOR SEVERABILITY AND PRESERVATION OF EXISTING ORDINANCE; PROVIDING FOR EFFECTIVE DATE.

The foregoing ordinance was presented in title. It was moved by Councilman Erickson, 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 Deist, Hovey, Sakaguchi, Wood, and Erickson; No, Councilman Chandler; 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, and Erickson; No, Councilman Chandler; carried.

Councilman Erickson gave a report on the operation of the Golf Courses and the Golf Advisory Board. He presented the following recommended fees for 1986:

IDAHO FALLS MUNICIPAL GOLF COURSES

1986 FEE SCHEDULE

<u>SEASON TICKETS</u> - Play Both Courses	<u>Base Fee</u>	<u>Tax</u>	<u>Total Cost</u>
First Ticket	211.50	8.46	20.00
Second Ticket (Same Family)	153.11	6.89	160.00
College & Vo-Tech Students (Full-Time) with Activity Card	95.70	4.30	100.00

Junior Full Time Ticket	95.70	4.30	100.00
Junior Part Time Ticket			

DECEMBER 5, 1985

(Daily until 4:00 p.m., after 3:00 p.m., Weekends & Holidays)	50.24	2.26	52.50
Bonneville Cty Resident Senior Citizen (Retired-Age 62 & Older-First Ticket)	105.77	4.23	110.00
Husband & Wife	192.31	7.59	200.00
Non-Resident Senior Citizens			
Husband	168.27	6.73	175.00
Wife	120.20	4.80	125.00
<u>DAILY GREEN FEES</u>			
18 Holes (Each Course)			
Weekdays	6.73	.27	7.00
Weekend & Holidays	7.70	.30	8.00
9 Holes			
Sandcreek			
Weekdays	4.81	.19	5.00
Weekends	4.81	.19	5.00
Pinecrest			
Weekdays before 7:00 a.m.	4.81	.19	5.00
Weekdays after 6:00 p.m.	4.81	.19	5.00
Weekends & Holidays (after 3:00 p.m.)	4.81	.19	5.00
Junior Green Fees			
(Each Course, until 4:00 p.m. daily after 3:00 p.m.-Weekend and Holiday play) 9 or 18 holes	4.30	.20	4.50
Idaho Resident Senior Green Fees 9 or 18 Holes anytime	4.30	.20	4.50
Non-Resident Pay Regular Fees			
<u>LOCKERS - Men and Women</u>			
Large			10.00
Small			7.50

Golf Carts, Pull Carts, and Club Rentals available at the Pro Shops.

In Case of an accident or injury, a written report must be submitted to Golf Course Manager within 24 hours of the incident.

s/ Ben Allen, Chairman
s/ Julie Southwick, Sec.

DECEMBER 5, 1985

It was moved by Councilman Erickson, seconded by Deist, that the above listed schedule for golf fees for 1986 be adopted. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Erickson, that the meeting adjourn at 9:15 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor
