

**DECEMBER 20, 1984**

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The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, December 20th, 1984, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon Scout Kirby Nebeker, 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 Mel Erickson, Wes Deist, Paul Hovey, Sam Sakaguchi, Ralph Wood, and Art Chandler. Also present: Helen Elliott, Acting City Clerk; Dale Storer, City Attorney; and all available Division Directors.

A summary of the minutes of the last Regular Council Meeting held December 6th, 1984, were read and approved by the Councilmembers.

License applications for RESTAURANT, North Highway Cafe, Pocket's, LeBaron's, Bonneville Lounge, Skyway Cafe, Sizzler Restaurant, Sandpiper, Italiano Restaurant, Pa-Pa Tom's Pizza, K-Mart, J.B.'s Restaurant, Shakey's Pizza, The Wine Cellar, Smitty's Pancake & Steak House, Lupita's, Sbarro Pizzeria, Rainbow Cafe, Ada's Cafe, Mrs. Powell's, Jana Lynn's Waffle Smacks, Marie Callender's, Chicken Broaster, L.D.S. Temple, Taco Johns, Pizza Hut, Nutcracker Sweet, The Claim Company, Sister's Cafe, SkyVu Theatre, Wrangler Roast Beef, Standard Works (2), Orange Julius, Red Steer, Sensuous Sandwich, Bowl-ero, Anne's Arctic Circle, Original Great American Cookie Company; GROCERY STORE, Wealth of Health Nutrition, Common Cents Food Stores 1 & 2, Buck's, Smith's Food King, Speedi Mart, Earl's, B& M Morgan's, Inc., Maverick Country Store, Albertson's #145, Buttery Foods, Skaggs #259, Save Fast Gas & Grocery, Circle K Store #0084, K-Mart, Caribou Four Corners dba Maverik #164, Saving Center, Inc. (1 & 2), Yuko's, Skaggs, B&B Chevron, KWIK Shop, Ray's Minit Market, Gas N Grub, Kesler's Skyline, Inc., Norton Fruit Company, Murphy's Market, D.C. Natural Foods, Lincoln Court, Tramp's Car Wash & Grocery, J.H. Boozer Oil; MEAT MARKET, Smith's Food Store, Albertson's (Broadway), Buttrey's, Saving Center, Inc. (1 & 2), Kesler's Skyline, Inc.; CONCESSION, Common Cents Food Stores, (1 & 2), Circle K Store #0084, United Artists Cinemas (1 & 2), Karmel Korn; CATERING SERVICE, Marilyn's Catering, Leonard's Catering; BAKERY, Smith's Food, Albertson's #145, Buttrey Foods; FOUNTAIN, KWIK Shop, Don Wilson's Drug; CANDY FACTORY, Farr Candy Company; DELICATESSEN, K-Mart; ICE CREAM STAND, Smith's Food King; DAIRY, Western General Dairies (3 Units), Vaughn Asper (1 Unit); DRAY, Westergard Transfer & Storage, Ryder/PIE, ABF Freight System, Inc.; PUBLIC CONVEYANCE, C.A.R.T., Inc.; MOTEL-HOTEL, Comfort Lodge (40 Units), Haven Motel (24 Units), Weston Lamplighter (130 Units); DANCE HALL, Skyway Bar, Matador Lounge; POOL HALL, Buckhorn Gardens, Pockets, Eagles, Golden Crown, Skyway, Matador, Pa-Pa Toms, Fords; THEATRE, SkyVu, Cinemas 1 & 2; TAXI COMPANY, City Cab; DELIVERY SERVICE, City Cab; BOWLING ALLEY, Bowl-ero; JUNK DEALER, Pacific Hides & Fur; PAWNBROKER, Don's Jewelry, Bob's Trading Company; SECOND HAND STORE, Bob's Trading Co., Broadway Watch & Clock; PHOTOGRAPHY, Photography by Julie, Pixie Pin-Up, Bell Photographers, Inc., Franz Gisin, Mike's Photo & Video, Keller Moving Photo; PRIVATE PATROLMAN, Dale Noreen; PRIVATE PATROL SERVICE, Wackenhut Corp.; RETAIL WINE, Skaggs, Circle K, Albertsons (17th Street), Saving Centers' 1 & 2; WINE BY THE DRINK, Skyline Lanes; RETAIL LIQUOR, Eagles, Matador Lounge, Sandpiper; BEER (TO BE CONSUMED ON THE PREMISES), Eagles, Matador; BEER (NOT TO BE CONSUMED ON THE PREMISES), Sandpiper Restaurant, Skaggs, Forde Johnson Oil, Circle K, Albertson (17th Street), Hall Park Gas, Saving Centers' 1 & 2; BARTENDER, Dale Swart, Cynthia Simonds, Gerald Arrington, James Palmer, Steven (Chick) Montague, Rebecca Jo Lancaster, Larry Nukaya; TAXI OPERATORS, Harry Rigoulot, John Rigoulot, Phillip Lopez, Jay Nichols, Chon R. Garcia, Donald Cooley, Jr., Larry Hobday, PRIVATE PATROL SERVICE, Elton Call for American Protective Service; NON-COMMERCIAL KENNEL, Marlene Johnson, C.J. Bliem,

David Slade, Bill Motes; COMMERCIAL KENNEL, Allen Veterinary Hospital, Eastside Pet Clinic; PUBLIC RIGHT OF WAY, Ellingford Excavating; ELECTRICAL CONTRACTOR, C.P. Jeppesen & Son Electric, Wizard Electric, Johnson Controls; JOURNEYMAN ELECTRICIAN,

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C.P. Jeppesen, Michael Faller, Harvey Coffman, Don Scarlett, Carl Carlson; ELECTRICAL APPRENTICE, John Howe with G&R Electric, Rex Johns with Whipple Electric; ELECTRICAL SIGN COMPANY, Young Electric Sign Company, Lytle Signs, Image National, Inc.; MASTER PLUMBER, C&C Plumbing, Home Plumbing & Heating, Max Sargent, Bates Plumbing; JOURNEYMAN PLUMBER, Lewis Davis, Bartell Sargent, Max Sargent, Larry Bates; CLASS B HEATING & COOLING CONTRACTOR, WARM AIR, WET HEAT, GAS FITTER, Sargent Mechanical; CLASS C HEATING & COOLING CONTRACTOR, WARM AIR, REFRIGERATION, Whipple Electric; CLASS B HEATING & COOLING JOURNEYMAN, WARM AIR, WET HEAT, GAS FITTER, Max Sargent, CLASS C HEATING & COOLING JOURNEYMAN, WARM AIR, GAS FITTER, James Wilson; CLASS C HEATING & COOLING JOURNEYMAN, WARM AIR, REFRIGERATION, Walter Whipple, were presented. It was moved by Councilman Erickson, seconded by Deist, that these licenses be issued, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried. It was noted that the BEER, WINE, AND LIQUOR, carried all approvals excepting the Council before they were presented.

The City Clerk asked for Council ratification of issuing the following licenses, with proper approvals, but without formal Council authorization; GROCERY, KOA; RESTAURANT, Jana Lynn's Waffle Smacks; BEER (TO BE CONSUMED OF THE PREMISES), The Chateau, Inc. (1984), Pizza Huts, Samoa Club, Remos, Chili Pod; BEER (NOT TO BE CONSUMED ON THE PREMISES), Bucks, Fearless Farris Stinker Station, Holiday Market, Donald P. Johnson, Albertsons (E. Anderson), Grandview Exxon, Forde Johnson Oil, Midget Market, Sconey's Oil, Nave's Sinclair; RETAIL WINE, Bucks, Albertsons, Midget Market, Chili Pod; RETAIL LIQUOR, Samoa Club, Remos. It was moved by Councilman Erickson, seconded by Deist, 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 noted that she had with her the sub-division ordinance which had been passed on its first and second readings only at the last meeting, and asked the Council if they wished to review it further this night. Attorney Storer read the title of the said ordinance as follows:

**ORDINANCE NO. 1774**

BE IT ORDAINED BY THE MAYOR AND CITY  
COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

Section 1. Sections 11-1-1 through 11-1-11  
inclusive, of the City Code of Idaho Falls, Idaho are  
repealed

Section 2. Sections 11-1-1 through 11-1-11 are  
enacted as follows:

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 ON IT'S THIRD AND FINAL READING?" Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

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This memo from the Municipal Services Director was then read:

City of Idaho Falls  
December 13, 1984

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger, Director of Municipal Services  
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS -  
PIPE AND FITTINGS

The Municipal Services Division requests authorization to advertise to receive bids for water pipe and fittings for the Water Department.

Respectfully,  
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Sakaguchi, that the Council authorize the advertising for bids, as requested. 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  
December 18, 1984

MEMORANDUM

TO: Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: OPTION TO PURCHASE LAND

We have completed negotiations with Bish Jenkins for the purchase of 40 acres of land one mile north of our present gravel source. It is intended this land will provide the City with an excellent gravel source and also serve as a future landfill.

The cost of the option is \$20,000 with a \$50,000 payment for each ten acre tract over the next four years.

We are requesting authorization for the Mayor and City Clerk to sign the City's approval once the City Attorney has prepared a satisfactory Option Agreement. We also request authorization for the City Controller to issue a \$20,000 warrant for the option.

Sincerely,  
s/ Donald F. Lloyd

Councilman Sakaguchi noted that this matter had been discussed previously at a work session. It was moved by Councilman Sakaguchi, seconded by Deist, that the Mayor and City Clerk be authorized to sign the City's approval after the City Attorney has prepared a satisfactory option agreement and it has been signed by Mr. Jenkins, and also authorization

be given for the Controller to issue a \$20,000 warrant after the document has been properly executed. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

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The City Clerk asked for Council authorization to publish a legal notice calling for a public hearing to be held on January 10th, 1985. It was moved by Councilman Wood, seconded by Deist, that authorization be given to advertise as requested. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This memo from the City Planner was then read:

City of Idaho Falls  
December 20, 1984

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Rod Gilchrist, City Planner  
SUBJECT: REQUEST TO VACATE AN EASEMENT

Attached is a copy of a request from Price Investments to vacate a portion of the utility easement on the south property line of Lot 1, Block 1 of the J. Earl West Addition. All of the utilities have reviewed this request and have no objection to abandoning this portion of the easement.

We respectfully request the Mayor and Council instruct the City Attorney to prepare the necessary ordinance.

s/ Rod Gilchrist

It was moved by Councilman Wood, seconded by Deist, that the City Attorney be authorized to prepare the ordinance required to vacate this utility easement. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

Mayor Campbell then introduced Councilman Mel Erickson. Councilman Erickson stated that he wished to visit with the Council concerning the Civil Service Exam action that was recently reviewed by Jack Voshell, Gil Karst, Beth Madsen, Commission Members and Lorna Coughlin and Executive Secretary for that Commission. He said it has been necessary to up-date language methods so that they conform with present equal rights standards and other changes that were necessary. He said the proposed changes had been reviewed by the Mayor and Council, and it is felt that the Commission has done a tremendous job in bringing the Civil Service Rules and Regulations to the point that they could be easily interpreted. He complimented the Civil Service Commission for the fine work they do in this capacity. It was moved by Councilman Erickson, seconded by Deist, that the Council accept the changes that the Civil Service Commission has recommended and authorize the City Attorney to draft any portions that may require an ordinance. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The City Attorney presented an ordinance covering the sale of beer and wine on Memorial Day. He read the caption of that ordinance, as follows:

**ORDINANCE NO. 1775**

AN ORDINANCE REPEALING AND RE-ENACTING  
SECTION 5-11-14, CITY CODE OF THE CITY OF  
IDAHO FALLS, IDAHO, RELATING TO HOURS OF  
SALE OF BEER FOR CONSUMPTION ON THE  
PREMISES; PERMITTING SUCH SALE OF BEER

UPON MEMORIAL DAY; PROVIDING FOR SEVERABILITY AND SAVING CLAUSES; SETTING FORTH EFFECTIVE DATE THEREOF.

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

Mayor Campbell stated that he had appointed Dale Leatham to fill the vacancy on the Planning Commission created by the death of Marion Orme. It was moved by Councilman Wood, seconded by Deist, that this appointment be confirmed. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Wood, that the meeting adjourn at 8:00 P.M., carried.

s/ Helen Elliott  
Acting City Clerk

s/ Thomas Campbell  
Mayor

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