

DECEMBER 6, 1984

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, December 6th, 1984, in the Council Chamber in Idaho Falls, Idaho. Prior to calling to meeting to order, Mayor Campbell called upon Scout Steve Georgeson 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 Wes Deist, Paul Hovey, Sam Sakaguchi, Ralph Wood, and Art Chandler; Absent: Councilman Mel Erickson. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney, and all available Division Directors.

Minutes of the last Recessed Regular Meeting held November 20th and a Special Session held November 29th, 1984, were summarized and approved.

Mayor Campbell introduced the new City Editor, Chuck Malloy and thanked him for his presence and interest in local Government.

The Mayor declared open a public hearing to consider a re-zoning request on property on the west side of Channing Way, extended from 17th Street to 25th Street and called upon Councilman Wood, as Chairman of the Planning and Zoning Committee, 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

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: PETITION TO REZONE AND AMENDED PLAT - ROSE
NIELSEN ADDITION, DIV. 102

Attached is a copy of a rezoning request on the property on the west side of Channing Way, extended from 17th Street to 25th Street. The request has been submitted by Custom Land Development and is requesting a rezoning from R-3A and R-2A to C-1. The developer has also submitted an amended plat to de-emphasize Hoopes Avenue by realigning the street to stop at a "T" intersection at 25th Street, rather than extending from 17th Street to 25th Street as a through street.

The Planning Commission, at their regular meeting in November, considered these two matters and at that time, by a vote of five to four (5-4), recommended denial of the requested rezoning and recommended approval of the amended plat of Rose Nielsen Addition, Division No. 102.

This Department has carefully reviewed both proposals and recommends approval of the rezoning and the amended plat. Also, favorable consideration of this rezoning request requires an amendment to the Comprehensive Plan.

This matter is now being submitted for your consideration.

s/ Rod Gilchrist

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

Councilman Wood the invited anyone who wished to speak in opposition to this zoning change to be heard at this time.

DECEMBER 6, 1984

Mr. Dick St. Clair, 1932 E. 25th Street, appeared to state that he was against the zoning change. He said that he felt the proposed platting is not in consistency with the existing zoning. He said that this same proposal had been presented before the Council several months ago and it was the Council's feeling at that time that there should be a buffer of homes and apartments between the Rose Nielsen Subdivision and the mall before the Council would be amenable to act for a zoning change of C-1. He said there had been no development of the buffer zone and the residents are now facing the very same proposal that was considered six months ago. He pointed out that the Planning Commission has recommended that this proposal not be approved and the buffer zone be developed before any zoning change. He said that he, as a Rose Nielsen resident, fears that only commercial development will proceed and the developer will be back with a request to further zone C-1. He suggested not changing the zoning until the buffer zone is developed and homes are being constructed and then the Council take a look at zoning Channing Way C-1. He said, further, that he was not opposed to having some C-1 zoning along the west side of Channing, but he doubts the buffer zone will be built if the zone is changed prior to it being constructed. He said, in his legal opinion, he did not feel this would require an amendment to the Comprehensive Plan. Councilman Wood stated that it would require the amendment to the Comprehensive Plan. St. Clair suggested that the Council keep C-1 zoning off of 25th Street for safer traffic flow. He said that he would like to see the Council annex the property for the hospital and plan for ten years of development of the area and he asked for denial of this zoning change requested tonight.

Mr. James Milam, 1949 Malibu, owner of property along Hoopes and 17th Street, appeared. He said that the day may come when C-1 zoning is necessary, but at the present time he would prefer to talk about preserving the homes and other developments already there. He said he felt the Comprehensive Plan was a promise to the home owners and the home owners need assurance that, if changes are made, the home owners will benefit in some way. He said they would like to see homes and families develop in this area. He asked the Council to continue to act in the home owners interest and see that this area is developed in a very logical manner. He went to the map and made several suggestions for developing this area.

Mr. Allen Eberly, 1844 Malibu, appeared to state that the residents had put their time and money into their homes on the basis of assurances and commitment from the developer and the City that the land was all zoned and locked in. He asked that the previous commitments be honored and the zoning not be changed.

Mr. Howard Romero, 1929 E. 25th Street, appeared with quotes from the zoning ordinance, namely, three things that need to be adhered to before a change in zoning to an area; 1st, establish a need; 2nd, is it in the public's interest; 3rd, has to be in harmony with the land use plan. He said he felt the need had not been established, the residents of Rose Nielsen Addition are public and they want the peace and quiet of a residential area; this proposal is not in conformity with the land use plan. He recommended denial of this request.

Mr. Marvin Permann, 1907 25th Street, appeared to say that he saw this proposal as piecemeal encroachment and he could see no need for it to be established.

Mr. Anders Borgson, 2268 Malibu, appeared just to second everything that has been said. "This gets ridiculous", he said.

Mr. Adrian Hill, 2389 Malibu appeared. He said that the Planning & Zoning Committee have judged this matter previously as an excellent plan as it is now. He stated that, if the Council goes against their own zoning group, it would not be in the best interests of their citizens.

Mrs. Christy Romero, 1929 E. 25th Street wanted to go on the record as being opposed to the proposal of more commercial land in the area.

DECEMBER 6, 1984

Mrs. Delores Hill, 2389 Malibu, appeared briefly to ask if Hoopes Avenue would be abandoned and to oppose the re-zoning. Mayor Campbell explained that the hospital has shown a plan that provides that Hoopes does not go on beyond the hospital property. She then seconded everything that has been said previously.

Mr. Lee Richardson, 1991 Malibu, appeared to state that he is opposed to the creeping commercialization of the area. He said he had a clause in his contract drawn up five years ago, that if the developer had not developed Hoopes by the end of five years, that an amount of funds paid would be refunded. He said that he has received his money.

Mr. Rex Meikle, 2865 Glenwood, appeared to oppose the creeping commercialization and the deterioration of the area.

There being no others who wished to oppose this request, Councilman Wood invited those who wished to speak in favor to do so at this time.

Mr. Richard Hanks, 2633 Glenwood, owner of property on Hoopes appeared to state that he agreed with a great deal of what has been said by his neighbors, but he understands this proposal as part of an attempt to funnel traffic off of Hoopes onto Channing Way and, consequently, he can support an exchange for some commercial property to try to move that traffic from Hoopes to Channing Way which would be in the interests of the citizens of the Rose Nielsen Addition.

Mrs. Georgia Hemmingway, 661 N. Fanning, appeared to state that she is in the process of having a home constructed at 1665 Delmar. She said that in her opinion, it makes good sense to channel the traffic flow. She felt that commercial development adjacent to the mall is a good idea and is interested in investing money of her own for construction of homes and duplexes as a buffer zone to the C-1 zoning.

Mr. Guy Robertson, 1845 E. 25th Street, appeared to state he had recently built a home on 25th Street, knowing it was a high volume traffic flow street, but he supports the "trade offs" of this re-zoning.

Leland Kranz, 2811 Glenwood, voiced his support stating the development of this area will shift the traffic elsewhere.

Douglas Nelson, 2344 Malibu Drive, appeared to state that he has appeared several times concerning Rose Nielsen property. He said he agrees about the previously mentioned "read offs" and the commitment, and it occurs to him that the City Council is faced with making a decision which will impact the whole future of the area. He said that commercial zones have, usually, followed heavily used traffic pattern. He said, in his opinion, it would be a serious mistake to allow this area to remain unplatted and uncommitted and, as years pass, have the pressure of the comprehensive underground that is already there on Hoopes, pressure the Council or the developer into making a more expansive plan on Hoopes. He said the residents are faced with then determining a buffer, or suggesting to the developer that this plat could be approved conditionally upon the execution of a development agreement, outlined in contractual form, committing the developer to specific commitments. He outlined legal ways for forcible contractual commitments. He said he was not opposed to this development with certain caveats. He said that there must be some assurance and covenants that have been cast in stone, and there is no future need to face further commercial encroachment.

Attorney Dale Storer responded by saying that the Council has the authority to require or impose conditions upon the approval of the permit being considered this night. He said, in reviewing the matter, many decisions indicate that, when a governing body acts, they must abide by the law and the terms of their own ordinances. Once they establish that ordinance, they are bound to enforce that ordinance uniformly and fairly across the board. He said that many cities have attempted to impose additional conditions upon the developers in order to control development. Storer said that his research indicates that most

courts do not allow what they call contract zoning and, instead require that, if a developer is going to be required to fulfill certain conditions, they must be set forth in the ordinance and

DECEMBER 6, 1984

the governing body does not have authority to impose conditions outside it's ordinance. Therefore, he recommended that the Council not impose that type of condition by contract.

Attorney Nelson re-appeared to state that he agreed that contract zoning has been viewed unfavorably in the courts, contract zoning is legal if the developer puts restrictive covenants governing the land, and explained routes that could be taken.

Mr. Lynn Harker, 2605 Glenwood, appeared to state the Mr. Skidmore, the developer, had been frank and candid and his plan is acceptable to him and he feels this more favorable than other alternatives.

Mrs. Sherry Hanks, 2633 Glenwood, appeared to endorse this concept as a good alternative.

Mr. Darrell Byerly appeared briefly to state that he had built homes twice in the area and would have no problem in doing so again as it is a very desirous part of the City.

Dick Skidmore, the developer, appeared to clarify some points that had been brought out. He said he feels the plat as presented, is an excellent plan and could work to protect all area residents.

Councilman Chandler asked if Channing Way would be a through street if the hospital is not built. The answer was that the Groberg's own the property and they would have to answer that question.

Councilman Deist, wanted it made a matter of record that, on property owned by Dick Skidmore or Custom Land Development, between 25th Street and 17th Street, bordering Henryanna and Hoopes, Mr. Skidmore would be satisfied with the zoning on this plat now being presented and he would not be back for a re-zone. Deist also wanted it made clear that, if the Council approves the re-zoning request this night, Mr. Skidmore will develop the properties as zoned and will not ask to have them changed. Mr. Skidmore said they would develop them as it is proposed this night.

Attorney Dale Storer asked Mr. Skidmore that, inasmuch as there must be a comprehensive plan change, Mr. Skidmore must show that there has been a substantial change since the time the comprehensive plan change was adopted. Mr. Skidmore answered that the Grand Teton Mall has been constructed since that time. The City Planner explained that the latest revision to the plan included the plan for the Grand Teton Mall. Attorney Storer asked Mr. Skidmore to explain what impact the Grand Teton Mall has had upon his ability to develop the land for which the zone change is being requested. Mr. Skidmore answered he has had many requests for commercial development along Channing Way. Storer asked Skidmore if he felt he could develop the land with the existing zoning now that the mall is complete. Skidmore answered that he has been unable to find any interested buyers, therefore the need for a C-1 zone. Attorney Storer stated that he had learned from those who appeared this night that they feared the creep of the C-1 zone getting closer and closer to the residential neighborhood. He asked Skidmore to explain if he has taken steps to prevent said creep. Skidmore said the plan as proposed this night will stop the creep. Attorney Storer asked if he could explain how his proposal would benefit or keep traffic away from the residential area on the west. Mr. Skidmore said he has a very good record of doing what he plans and proposes and has never asked for many changes and those requests have been occasioned by circumstances beyond his control.

Councilman Hovey asked the width of Hoopes Avenue as it is proposed. The answer was - seventy feet. Hovey asked if this could be reduced to sixty feet if the proposal were accepted. Hovey said he failed to see how the change on Hoopes would benefit the traffic flow of Rose Nielsen Addition very much.

Councilman Hovey said he could not believe that people will build very fine homes on the east side of Hoopes. Skidmore said he felt there would be no problem to

develop this area with some very fine homes. Hovey took exception to this and quoted other areas in town that have not developed this way. After more discussion, it was moved by Councilman Wood, seconded by Deist, that the Comprehensive Plan be amended to reflect

DECEMBER 6, 1984

the changes that have been requested. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, and Deist; No, Councilmen Chandler, and Hovey; carried.

It was then moved by Councilman Wood, seconded by Deist, that the Council approve the re-zoning as requested. Roll call as follows: Ayes, Councilmen Wood, Deist, and Sakaguchi; No, Councilmen Chandler and Hovey; carried.

It was then moved by Councilman Wood, seconded by Deist, to accept the final plat and authorize the Mayor and City Clerk to sign. Roll call as follows: Ayes, Councilmen Deist, Sakaguchi, and Wood; No, Councilmen Chandler and Hovey; carried. Mayor Campbell noted that the Council has, narrowly, granted Mr. Skidmore a very controversial piece of zoning and that his commitments are recorded, and he doubts that this or future administrations will forget this night and, therefore the Mayor declared that the maps on the wall are officially part of this hearing. It is also noted that Mrs. LaRee Maeser, 1870 Balboa, telephoned in an opposition to this request considered this night.

The Mayor then called for a short recess.

After reconvening the meeting, the Mayor declared open a public hearing to consider some revisions and up-dating of the subdivision ordinance 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

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REVISED AND UPDATED SUBDIVISION ORDINANCE

Attached is a copy of the revised Subdivision Ordinance, the Policy and Procedures, and the Street and Alley Standards. These documents incorporate present City policy and various amendments that have been made to the Subdivision Ordinance presently in use. The Ordinance that we are presently using was adopted in 1958.

The Planning Commission recently reviewed this Ordinance and unanimously recommended approval. This matter has also been the subject to a Council Committee work session.

This Department recommends approval of the Subdivision Ordinance and accompanying documents. This matter is now being submitted for your consideration.

s/ Rod Gilchrist

At the request of Councilman Wood the City Planner explained the proposed revisions and updating. There being no questions nor comment, the caption of this ordinance was presented by the City Attorney:

ORDINANCE NO. _____

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

DECEMBER 6, 1984

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 PROVISION 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 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 ON IT'S FIRST AND SECOND READINGS ONLY?" Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

It was also moved by Councilman Wood, seconded by Deist, that the Council approve the procedures and standards for the subdivision ordinance. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, and Deist; No, none; carried.

Bills for the month of November were presented after first having been properly audited by the Fiscal Committee:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT: \$	743,522.44	\$ 124,932.33	\$ 38,505.52	\$ 258,619.80
SALARY:	<u>606,728.87</u>	<u>42,155.80</u>	<u>16,361.98</u>	<u>354,572.87</u>
TOTAL:	\$1,350,551.31	\$ 167,088.13	\$ 54,867.50	\$ 354,572.87
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP IMP</u>
SERV/MAT: \$	1,715,189.15	\$ 106,824.27	\$ 8,470.28	\$ 10,099.00
SALARY:	<u>118,088.36</u>	<u>47,216.79</u>	<u>14,864.20</u>	<u>.00</u>
TOTAL:	\$ 1,833,277.51	\$ 154,041.06	\$ 23,334.48	\$ 10,099.00
	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>CITY TOTAL</u>	
SERV/MAT: \$	8,427.72	\$ 4,235.00	\$ 3,019,125.51	
SALARY:	<u>31,786.52</u>	<u>.00</u>	<u>973,155.59</u>	
TOTAL:	\$ 40,214.24	\$ 4,235.00	\$ 3,992,281.10	

It was moved by Councilman Chandler, seconded by Wood, that the Controller be authorized to pay all bills as listed on the computerized printout. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Deist, and Hovey; No, none; carried.

Reports from Division and Department Heads were presented for the month of November and there being no questions nor objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT, K-Mart, Mr. E's, Hot Diggity Dog #'s 1 & 2, Chili Pod, Lupita's Mexican Food, Paris Cafe, Baskin-Robbins, Stock Land Cafe, Cedric's,

McDonalds (2), Country Rose Cafe, Smitty's Pancake and Steak House, Remos Restaurant, Deseret Industries,; GROCERY STORE, Bucks, Sconey's, Midget Market, Save Fast Gas (2), D.C. Natural Foods, Hall Park Gas, Albertsons' #133 & #138, Holiday Market, Murphy's

DECEMBER 6, 1984

Market, Jiffy Mart, Fearless Farris, K-Mart, 7-Eleven, Albertsons' #133 & #138, K-Mart; BAKERY, Albertsons' #133 & #138, Aunt Annies Cookies; MEAT MARKET, Albertsons' #133 & #138, Holiday Market; SNACK BAR, Hall Park Gas; CATERING SERVICE, Party Shop; BEVERAGE & BOTTLING CO., Old Faithful; JUNK DEALER, Stewarts Wool, Fur and Metal; PAWN BROKER, Ross's Coins, Nick's Trading Post, Leymaster Jewelry; POOL HALL, Samoa Club, Ray's Western Bar; DELIVERY SERVICE, The Express Co., Teton Crane Transport, Ace Taxi Delivery; TAXI COMPANY, Ace Taxi; ELECTRICAL SIGN COMPANY, Jones Sign Co., Northwest Sign Company; BARTENDER, Wilma Urrizaga, Brian Brown, Alan Lindhorst, James Ingelstrom, Kurt Bohman, Arthur Howard, Ray Robinson, Marie Rowland, Florence Purcell, May Hodson, Ercel Monsen, Sharron Frazier, Connie Jenkins, Ralph Ingram, Merrill Ingelstrom; ELECTRICAL CONTRACTOR, W.L. Whipple, Modern Day Electric, Northwest Sign Company, G & R Electric, Inc.; JOURNEYMAN ELECTRICIAN, Gary Triplett, Ray Mortensen, Alan Boyack, Walter Whipple, Arthur Lealtad, Joll Brown; MASTER PLUMBER, C & C Plumbing; CLASS C CONTRACTOR, WA., REF., Walter Whipple; CLASS C JOURNEYMAN, WA., REF., Walter Whipple; APPRENTICE ELECTRICIAN, Michael Hyde with Whipple Elec., Steven Bene' with Whipple Electric., Ronald Cecil with Whipple Elec., Orval Benson with Whipple Elec., Kurt Krupp with Whipple Elec., Bill Scott with Whipple Elec., Morris Benson with Whipple Elec., Garvin Durrant with Jewel Electric, were presented. It was moved by Councilman Deist, seconded by Wood, that these licenses be issued, subject to the approval of the proper Division Director, where required. Roll call as follows: Ayes, Councilmen Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

A LIQUOR CATERING PERMIT was presented for the Bonneville Lounge to cater liquor on December 15th at the Senior Citizen's Center. It was moved by Councilman Deist, seconded by Wood, that this permit be approved. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

A TO BE CONSUMED ON THE PREMISES BEER LICENSE AND A LIQUOR LICENSE APPLICATION FOR The Chateau, were presented, carrying the approvals of all proper Division Heads. It was moved by Councilman Deist, seconded by Wood, that these licenses be issued. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

The City Clerk asked for Council ratification of issuing an ITINERANT MERCHANT license to Paul Jenkins and a BARTENDER PERMIT to Joe Herrerra, with the proper approvals, but without formal Council authorization. It was moved by Councilman Deist, seconded by Wood, that the Council ratify this previous action. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, and Deist; No, none; carried.

This memo from the Municipal Services Director was then read:

City of Idaho Falls

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, Director of Municipal Services
SUBJECT: AUTHORIZATION TO RECEIVE BIDS - MOTOR FUELS,
LUBRICANTS, AND HEATING OIL

The Municipal Services Division requests authorization to receive bids for motor fuels, lubricants, and heating oil for 1985.

s/ Chad Stanger

DECEMBER 6, 1984

It was moved by Councilman Chandler, seconded by Sakaguchi, that authorization be given to advertise for bids for motor fuels, lubricants and heating oil for 1985. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Deist, and Hovey; No, none; carried.

From the City Planner came this memo and accompanying ordinance:

City of Idaho Falls

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: AMENDMENTS TO ZONING ORDINANCE NO. 1115

Attached are copies of an ordinance setting forth amendments to the City's Zoning Ordinance No. 1115. These amendments have to do with the conditional use permits. The Mayor and City Council authorized the City Attorney to prepare this ordinance on October 18th, 1984.

These amendments are now being presented to the Mayor and Council for your action.

s/ Rod Gilchrist

ORDINANCE NO. 1773

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE CITY OF IDAHO FALLS IDAHO; AMENDING SECTION 5-10 OF SAID ORDINANCE RELATING TO CONDITIONAL USE PERMITS; INCREASING PERMIT FEE FOR CONDITIONAL USE PERMITS; REQUIRING APPROVAL OF CITY COUNCIL; AMENDING SECTION 7-3-2 OF SAID ZONING ORDINANCE ALLOWING CHILD DAY CARE CENTER IN R-1 RESIDENTIAL ZONE AS A CONDITIONAL USE; AMENDING SECTION 7-7-2 OF SAID ORDINANCE ALLOWING PRESCRIPTION DRUG SERVICE IN THE R-3A ZONE; PROVIDING FOR EFFECTIVE DATE THEREOF.

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

From the Library Director came this memo:

DECEMBER 6, 1984

City of Idaho Falls

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Craig Anderson, Library Director
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS -
FRESH AIR UPGRADE, LIBRARY

The Idaho Falls Public Library requires an upgrade to the fresh air system in that portion of the building currently under lease. The Library Director and Library Board request authorization for the City Clerk to advertise to receive bids for completion of this project.

s/ Craig Anderson

It was moved by Councilman Chandler, seconded by Sakaguchi, that authorization be given to bid as requested. Roll call as follows: Ayes, Councilmen Chandler, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls

MEMORANDUM

TO: Mayor and Council
FROM: Steve Harrison, Manager
SUBJECT: VOEST-ALPINE CONTRACT #8009TG

It is the recommendation of the Electric Division and Attorney that the City close out the Voest-Alpine contract and pay retainage in the amount of \$414,486.91.

Please consider authorizing the Mayor to execute the close out documents and direct the trustee to transfer the retainage of \$414,486.91 to Voest-Alpine.

s/ Steve Harrison

Councilman Hovey explained that the City has been holding this retainage until such time that the City was satisfied that the problems in the turbines and generators were corrected. He said all machines are working now, therefore, it is felt that the retainage fee should be paid. It was moved by Councilman Hovey, seconded by Wood, that the Mayor be authorized to execute the close out documents and direct the trustee to transfer the retainage of \$414,486.91 to Voest-Alpine. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

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

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor

* * * * *