

APRIL 19, 1984

The City Council of the City of Idaho Falls met in Regular Council Meeting, Thursday, April 19, 1984, in the Council Chamber in Idaho Falls, Idaho.

Prior to calling the meeting to order, Mayor Campbell invited Scout Timothy Hudson 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 Art Chandler, Mel Erickson, Wes Deist, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney and all other available Division Directors.

Minutes of the last Regular Council Meeting held April 5th, 1984, were read and approved.

Mayor Campbell then called upon Councilman Wood to conduct annexation proceedings for street rights-of-way. Councilman Wood asked the City Clerk to read this explanatory memo from the City Planner:

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MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: ANNEXATION & INITIAL ZONING - STREET RIGHTS-OF-WAY

Attached are copies of the annexation ordinances for two sections of streets that are now partially in the City and partially out of the corporate City Limits. One of the streets is the west half of Rollandet from the Mead Addition to the Butte Arm of the Idaho Canal, and the other is the southerly portion of John Adams Parkway from Woodruff Avenue east to the Meppen Canal.

This matter was recently the subject of a hearing at the Planning Commission level, and at that time it was unanimously recommended that Rollandet be annexed to the City and zoned R-1, and John Adams Parkway be annexed and zoned RP-A.

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

s/ Rod Gilchrist

There being no questions nor objections the annexation ordinance for the west half of Rollandet from Mead Addition to the Butte Arm of the Idaho Canal was presented:

ORDINANCE NO. 1754

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (WEST HALF OF THE ROLLANDET FROM MEAD ADDITION TO THE BUTTE ARM OF THE IDAHO CANAL)

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

The following captioned ordinance covered the annexation of the south half of John Adams Parkway from Woodruff Avenue to the Meppen Canal:

ORDINANCE NO. 1755

AN ORDINANCE ANNEXING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (SOUTH HALF OF JOHN ADAMS PARKWAY FROM WOODRUFF AVENUE TO THE MEPPEN CANAL)

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, 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.

Mayor Campbell then declared open a public hearing to consider the initial zoning of the two newly annexed areas. There being no questions nor comment, it was moved by Councilman Wood, seconded by Deist, that the right-of-way located on the West Half of Rollandet from Mead Addition to the Butte Arm of the Idaho Canal be zoned R-1 as recommended, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in his office. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

It was then moved by Councilman Wood, seconded by Deist, that the zoning of the area described as the South Half of John Adams Parkway from Woodruff Avenue to the Meppen Canal be zoned RP-A, that the comprehensive plan be amended to include the area annexed herewith, and that the City Planner be instructed to reflect said annexation, zoning and amendment to the comprehensive plan on the comprehensive plan and zoning maps located in his office. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

At this time Mayor Campbell invited Eagle Scouts Timothy Hudson, Mark Miller, Jeffrey Kondel and Duane Humphries to come forward to the Council table. Mayor Campbell congratulated these fine young men for obtaining this award and for being leaders in the community. He presented each scout with a certificate of appreciation, after which

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each scout 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 recognized the presence of Diane Staggie and Trudy Potter, who were present, representing city day care centers, and asked them to be heard at this time. Mrs. Staggie gave the following presentation:

We are forming a group of people who deal with children in the Idaho Falls area. Health and Welfare recently had a licensing bill out which was not passed by the House in our state. The Day Care Homes and Centers didn't feel it was a good bill either. We want to control our businesses accurately.

The bill was not going to change child abuse - the only thing it did was say that it was impossible to care for children in numbers.

We are asking you to consider a home town bill for us and hope others will follow, as we do care for these children.

1. Police check on criminal records.
2. Safe environment - fire checks to help us with our facilities.

In our meeting, we would like C.P.R. lessons, firemen to visit with us, doctors, paramedics, etc.

In other words, we are a proud town and would like to show the other states how well a town in Idaho can govern themselves without improper licensing by Health and Welfare which has been proven lately with the licensing of so many child abuse centers.

Also, we will strive to help each other to do better by learning from each other and others.

Councilman Erickson asked the City Attorney if the City Council would have authority to govern licensing for day care centers in view of the State recently declining the licensing of these establishments. Attorney Storer answered that the City Council has the authority to license businesses and occupations if they so desire. During the discussion, concerns were registered as to whether or not the majority of day care owners favored such investigation and licensing; classification for day care centers; manpower for investigations; liability, etc. Councilman Erickson stated that this proposal, definitely, needed to be reviewed, therefore, it was moved by Councilman Erickson, seconded by Deist, that this matter be referred to the Police Committee for further input. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

License applications for MOBILE CONCESSION, Romaine's; AUCTIONEER, William S. Powell, Dennis E. Reno; DRAY, A.B.F. Freight Systems, Inc; ELECTRICAL CONTRACTOR, Merkley Electric; JOURNEYMAN ELECTRICIAN, Ronn S. Allen, Hal D. Merkley; APPRENTICE ELECTRICIAN, Kevin Forbush, Jim Marchetti; CLASS B CONTRACTOR, WARM AIR, GAS FITTER, REFRIGERATION, Schriener Electric; CLASS D CONTRACTOR, REFRIGERATION, Jacoby Refrigeration; CLASS B JOURNEYMAN, WARM AIR, GAS FITTER, REFRIGERATION, Jim Schriener; CLASS D JOURNEYMAN, REFRIGERATION, Marshall S. Jacoby; BARTENDER, Leon K. Bailey, Shiela Bowman, Lorraine Cunningham, Dedra Dalling, Denise Dineen, Joseph Holeman, Marie Weekes; PUBLIC RIGHTS-OF-WAY, Burton Concrete Company, Heyrend Builders, Intermountain

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Construction, Inc., O.K. Construction, Inc., Robert Shippen Construction, Standley Trenching Inc., Stucki & Humphries, Shumaker Construction Company, TAP Construction Company, were presented. It was moved by Councilman Erickson, seconded by Deist, that these licenses be issued, subject to the approval of the appropriate Division Directors, where required. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

A BEER (TO BE CONSUMED ON THE PREMISES) license application was presented for the "19th Hole Cafe". It was noted that said application carried the approval of the Police Chief and the State Health Department prior to presentation. It was moved by Councilman Erickson, seconded by Chandler, that this license 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 issuing a LIQUOR CATERING license to the Elks, with the approval of the Police Chief, but without Council authorization. It was moved by Councilman Erickson, seconded by Deist, that this previous action be duly ratified. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

The City Clerk requested Council authorization to publish legal notices calling for two hearings to be held on May 10th. It was moved by Councilman Wood, seconded by Erickson, that the City Clerk be authorized to publish the legal notices as requested. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

This memo from the City Clerk was then read:

April 19, 1984

MEMO

TO: Honorable Mayor and City Council
City of Idaho Falls, Idaho

Gentlemen:

The Police Department has advised me that a sufficient amount of unclaimed and impounded merchandise has accumulated to warrant an auction sale. There are also several City surplus items we would like to include in this sale.

We ask for Council authorization on the following:

Publishing of a legal notice on May 4th and 11th.

Conducting of a sale on Saturday, May 19th, 1984.

Retain Bill Powell to act as auctioneer.

s/ Velma Chandler

It was moved by Councilman Erickson, seconded by Chandler, that the City Clerk be authorized to publish legal notices; conduct an auction sale on May 19th and to retain Bill Powell to act as auctioneer. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Wood, Chandler, and Erickson; No, none; carried.

From the City Planner came this memo:

April 17th, 1984

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: VACATION OF UTILITY EASEMENT

This office has recently received a request to vacate an existing easement between Lots 9 and 10, Block 2, 1st Amended Plat, Shamrock Park Addition, Division No. 1. The same property owner owns both of these lots and they wish to put an addition on their house which would encroach into the easement.

There are no utilities in this easement at present and the City has no need to maintain it. This Department recommends that the City Attorney be directed to prepare the necessary ordinance to grant this vacation request.

s/ Rod Gilchrist

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

From the Electrical Engineer came this memo:

April 18, 1984

MEMORANDUM

TO: Mayor and Council
FROM: Steve Harrison, Electric Division
SUBJECT: ISLAND PARK DAM RESERVOIR

Attached is a copy of a proposed four (4) party letter agreement regarding the operation of the Island Park Dam and Reservoir.

The Idaho Fish and Game Department has requested that the parties to the original 1935 agreement consider storing water at Island Park Reservoir prior to November 15. This extra or adverse storage is to be released during the winter months to improve trumpeter swan feeding ability during water freeze up periods.

BPA has verbally indicated that they have no problem with the proposed operation.

The City Attorney has reviewed the agreement and the Electric Division recommends favorable Council consideration of this proposal.

s/ Steve Harrison

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

From the Airport Manager came this memo:

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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Electric Division
SUBJECT: AMENDMENT NO. 1 TO HORIZON AIRLINES AIRPORT USE AGREEMENT

Horizon Airlines has submitted a signed amendment to their use agreement. This amendment allows them to use additional office space at an increase in the monthly rental.

The amendment has been reviewed by the City Attorney.

The Airport Committee recommends that the Mayor and Clerk be authorized to sign the amendment.

s/ James H. Thorsen

It was moved by Councilman Hovey, seconded by Chandler, that the Mayor and City Clerk be authorized to sign Amendment No. 1 to Horizon Airlines Airport Use Agreement. Roll call as follows: Ayes, Councilmen Sakaguchi, Wood, Chandler, Erickson, Deist, and Hovey; No, none; carried.

This memo from the Controller was then read:

April 18, 1984

MEMORANDUM

TO: Mayor Tom Campbell and City Council
FROM: Robert N. Marshall, Acting Controller
SUBJECT: RECOMMENDATION FOR CHANGE IN BOILER AND MACHINERY INSURANCE COVERAGE

CNA, our current insurance carrier for boiler and machinery has canceled our coverage effective April 16, 1984. I hereby request the City Council approve coverage as follows:

Boiler and Machinery

Recommend we accept a proposal from Royal Insurance for the period from April 16, 1984 to June 30, 1985. The premium will be pro-rated. Annual premium is \$15,800.00.

Local agency is United Agencies, Inc.

s/ Robert Marshall

Councilman Chandler explained that several proposals had been received and reviewed by the Fiscal Committee and that they were recommending approval. Councilman Hovey asked if the proposal had been reviewed by the Legal Counsel. Attorney Storer answered that he had not reviewed the proposal. Therefore, it was moved by Councilman Chandler, seconded

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by Sakaguchi, that this insurance coverage be approved, subject to review and approval by the City Attorney. Councilman Sakaguchi explained the need to expedite the review as the previous coverage has been canceled as of April 16th. Roll call as follows: Ayes, Councilmen Wood, Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This memo from the Public Works Director was then read:

April 17, 1984

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: AMENDMENT TO ANNEXATION AGREEMENT AL-SID
ADDITION

We are submitting an Amendment to the Annexation for Al-Sid Addition in favor of Sidney R. Fugate and Alexander P. Perez. This amendment provides for a delay of fee payments until there is construction in the addition. Public Works has reviewed this amendment and is recommending the Mayor be authorized to sign the City's approval with the stipulation that de-annexation would be considered if construction was not started by July 1, 1984.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the Mayor be authorized to sign the City's approval of this amendment, with the stipulation that de-annexation will be considered if construction has not started by July 1, 1984. 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 and accompanying resolution:

April 17, 1984

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: RESOLUTION AND STATE/LOCAL AGREEMENT
CONSTRUCTION 17TH STREET (ROLLANDET-SOUTH
BOULEVARD)

We are attaching hereto two (2) copies of a Resolution and State/Local Agreement (construction) covering 17th Street (Rollandet-South Boulevard).

This agreement covers the financing, construction, and future maintenance of the 17th Street project and requests payment of the City's share in the amount of \$48,000.

The Public Works Committee had reviewed and is recommending the Mayor and City Clerk be authorized to execute the Resolution and sign the Agreement; also for the City Controller to make payment to the State of Idaho Transportation Department in the amount of \$48,000.

s/ Donald F. Lloyd

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R E S O L U T I O N (Resolution No. 1984-05)

WHEREAS, the Idaho Transportation Department, Division of Highways, hereafter called the State, has submitted an Agreement stating obligations of the State and the City of Idaho Falls, Idaho, for the construction of Seventeenth Street (FAM Route 7406) between Rollandet Avenue and South Boulevard in Idaho Falls; and

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal-Aid Highway System when there is federal participation in the costs; and

WHEREAS, certain functions to be performed by the State involve the expenditure of funds as set forth in the Agreement; and

WHEREAS, the City is fully responsible for its share of project costs; and

WHEREAS, it is intended that the project shall be developed and constructed so as to receive federal participation;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Agreement for Federal-Aid Highway Project M-7406(001) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Agreement on behalf of the City.
3. That duly certified copies of the Resolution shall be furnished the Idaho Transportation Department, Division of Highways.

It was moved by Councilman Sakaguchi, seconded by Deist, that the Mayor and City Clerk be authorized to execute the resolution and agreement, and, also, that the Controller be authorized to make payment to the State of Idaho Transpiration Department in the amount of \$48,000. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, Wood, and Chandler; No, none; carried.

Finally, from the Public Works Director came this memo:

April 18, 1984

MEMORANDUM

ATTENTION: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: BOWER DRIVE & JUNIPER DRIVE STORM DRAIN

On April 18, 1984, three (3) bids were received for the BOWER DRIVE STORM DRAIN AND JUNIPER DRIVE STORM DRAIN project, as follows:

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Edstrom Construction	\$20,522.60
O & F Construction	24,805.00
H-K Contractors, Inc.	26,642.00
Engineer's Estimate	26,041.00

We are recommending that the contract be awarded to the low bidder, Edstrom Construction, in the amount of \$20,522.60.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the contract be awarded to the low bidder, Edstrom Construction, in the amount of \$20,522.60. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Wood, Chandler, Erickson, and Deist; No, none; carried.

Mayor Campbell announced that the second Council meeting in June will be held on Tuesday, June 26th, rather than June 21st, due to scheduling of the Annual Association of Idaho Cities meetings.

Attorney Storer presented the following captioned ordinance:

ORDINANCE NO. 1756

AN ORDINANCE CHANGING THE NAME OF CERTAIN STREETS LOCATED WITHIN THE CITY OF IDAHO FALLS; CHANGING AMMON STREET TO MICRO STREET, CHANGING SOUTH BELLIN AVENUE TO SOUTH BELLIN ROAD, MILL STREET TO MILL ROAD, COLTMAN STREET TO EAST SHELLEY STREET, TAYLOR STREET TO LAND BANK STREET, CEMETERY ROAD TO ROSE HILL DRIVE, AND PROVIDING THAT THE STREET HERETOFORE KNOWN AS THE NORTHGATE MILE SHALL END AT THE INTERSECTION OF LINCOLN ROAD AND NORTH YELLOWSTONE AND THE PORTION OF THE NORTHGATE MILE NORTH OF SAID INTERSECTION SHALL HERETOFORE BE KNOWN AS THE NORTH YELLOWSTONE HIGHWAY; REPEALING ORDINANCES IN CONFLICT HER WITH; PROVIDING WHEN THIS ORDINANCE SHALL BECOME EFFECTIVE.

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

The City Attorney, also, presented Ordinance #1757, caption of which is as follows:

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ORDINANCE NO. 1757

AN ORDINANCE VACATING A PORTION OF SOUTHWEST BONNEVILLE DRIVE AND RUSSET STREET WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING SAID PORTIONS; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER A QUIT CLAIM DEED CONVEYING PORTIONS OF SAID VACATED STREETS TO THE ABUTTING PROPERTY OWNERS, AND NAMING THEM; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Sakaguchi, 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 Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; 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 Chandler, Erickson, Deist, Hovey, Sakaguchi, and Wood; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Erickson, that the meeting adjourn at 8:15 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor
