

**OCTOBER 20, 1983**

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The City of Idaho Falls met in Regular Council Meeting, Thursday, October 20, 1983, in the Council Chamber in Idaho Falls, Idaho.

Prior to calling the meeting to order, Mayor Campbell called upon Scout Greg Barker 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, Art Chandler, and Mel Erickson; absent, Councilman Ralph Wood. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney, and all available Division Directors.

Minutes of the last Regular Council Meeting held October 6, 1983 were read and approved.

Mayor Campbell announced that those present in the Council Chamber were in for a special treat this evening, as representatives from Sweet Adelines and the Fallsmen were there to entertain them. The Sweet Adelines then sang three numbers and the Fallsmen sang two numbers, after each performance each received a round of applause from all those present.

Mayor Campbell then honored Eagle Scouts Brian Packer, Gregory Barker, Juan Murdock, Mark Nielsen, Ryan Murdock and Darin Murdock. The Mayor congratulated these fine young men for the fine service they are to the community and presented each with a certificate of appreciation, after which each young man 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.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider annexation and initial zoning of the Munger property on Mill Road and called upon Councilman Deist to conduct the hearing. At the request of Councilman Deist, the City Clerk read this memo from the City Planner:

October 19, 1983

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: ANNEXATION & INITIAL ZONING - MUNGER PROPERTY  
ON MILL ROAD

The owner of the property located on Mill Road, proposed for annexation and initial zoning at the Council hearing on October 20th, has requested this matter be recessed to a later date.

This matter is being submitted to the Mayor and Council for your consideration at the regularly scheduled hearing on October 20th, 1983.

s/ Rod Gilchrist

It was moved by Councilman Deist, seconded by Erickson, that this matter be recessed until the next regular Council Meeting on November 10th. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This letter from the Attorney for Idaho Falls Consolidated Hospitals, Inc. was then read:

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September 28, 1983

Dale W. Storer, Esq.  
City Attorney  
City of Idaho Falls  
P.O. Box 220  
Idaho Falls, Idaho 83402

RE: Idaho Falls Consolidated Hospitals, Inc.  
Extension of time for payments under the  
Terms of City Annexation Agreement

Dear Dale:

This will confirm our recent telephone conversation during which we explained the circumstances of uncertainty that still surround the building plans of Idaho Falls Consolidated Hospitals, Inc. Because of that uncertainty, we again find it necessary to request that the City extend the time for the Hospital to make the bridge and arterial street fee payments required by paragraph 11 of our Annexation Agreement to midnight, December 31, 1983. We sincerely regret the need to make this further request, however, we are left with no alternative in view of the slowness with which questions concerning consolidation are being resolved.

Thank you once again for your continuing cooperation in this matter. Please be assured that it is the Hospital's intent that the City be excused from any performance required of it under the terms of the Annexation Agreement for a like period. Your response to the foregoing request may be forwarded directly to us at the above address.

s/ C. Timothy Hopkins  
HOPKINS, FRENCH,  
CROCKETT & SPRINGER

There being no questions nor objections, it was moved by Councilman Deist, seconded by Erickson, that the annexation agreement with Idaho Falls Consolidated Hospitals be extended until December 31st midnight, and, at that time, a definite yes or no answer be given as the IFCH's plans for Construction of a hospital. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

The following petition was then presented:

The undersigned, residing in the area of the proposed work center of the Idaho Board of Corrections, do hereby protest that Construction and establishment of the proposed center in such area and petitions the City of Idaho Falls to deny a permit for the Construction and operation in the area in the proximity of the residences of the undersigned.

Mayor Campbell asked Attorney Dale Storer to comment on this petition. Storer said that this petition was somewhat premature. He said that the City has not been asked for a building permit, change of zoning or a request of any kind, therefore, he would suggest that the petition be made a matter of record and held for future reference if needed. Upon this recommendation, it was moved by Councilman Erickson, seconded by Hovey, that the petition be made a matter of record and held on file in the office of the City Clerk. Roll call

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as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

The City Clerk asked for Council ratification of the publishing of legal notices calling for three public hearings on November 10th. It was moved by Councilman Chandler, seconded by Hovey, that this action of the City Clerk be duly ratified. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

License applications for CLASS C APPRENTICE, WARM AIR, GAS FITTER, Vern Hulse, with Jewel Electric Co., Gordon R. Turnbow, with Jewel Electric Co.; BARTENDER, Gilbert P. Bloom, Robert J. Dougherty, Paula Grenvik, Barbara Hancock, Joanna Parker, Leo L. Schreuders, Woodena Summers, Esther Marie Thornock, 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 Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This memo from the Electrical Engineer was then read:

October 19, 1983

ATTENTION: Mayor and Council  
FROM: Steve Harrison, Manager  
SUBJECT: POWER LINE EASEMENT - WESTSIDE SUBSTATION

Attached is a copy of a power line easement that Utah Power and Light is requesting for supplying the Westside substation with their 161 kV line.

The Electric Division recommends favorable consideration of this request for an easement.

s/ G. S. Harrison

It was moved by Councilman Hovey, seconded by Erickson, that the Mayor and City Clerk be authorized to sign the power line easement between Utah Power & Light and the City of Idaho Falls. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

This memo from the Public Works Director was then read:

October 19, 1983

MEMORANDUM

ATTENTION: Mayor and City Council  
FROM: Donald F. Lloyd, P.E.  
SUBJECT: WELL #15

We have budgeted for and expect to complete all of the Construction for Well #15 during the current fiscal year and the plans have been endorsed by the Public Works Committee.

We are requesting authorization to extend our existing engineering contract with CH2M Hill and also we are requesting authorization to advertise for competitive bids for the Construction of Well #15 Pump and Booster Station.

s/ Donald F. Lloyd, P.E.

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It was moved by Councilman Sakaguchi, seconded by Deist, that the Council authorize the extension of the existing engineering contract with CH2M Hill, and also give authorization to advertise for bids for the construction of well #15 pump and booster station. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

Next, from the Public Works Director came this memo and resolution:

October 19, 1983

ATTENTION: Mayor and City Council  
FROM: Donald F. Lloyd, P.E.  
SUBJECT: 17TH STREET, ROLLANDET TO BOULEVARD

We are submitting, to the Council, a Resolution, a Right-of-Way Certificate, and a form for Relocation and Incidental Payments Information. These forms are necessary to complete the Highway Department files prior to the construction of Phase II of 17th Street between Boulevard and Rollandet.

We are requesting authorization for the Mayor and City Clerk to sign these documents for submittal to the Idaho Department of Transportation.

s/ Donald F. Lloyd, P.E.

**RESOLUTION (Resolution No. 1983-12)**

To Accompany Right of Way Certificate for F. A. Project No. M-7406 (001).

WHEREAS, City of Idaho Falls intends to construct 17th Street from Boulevard to Rollandet, under Federal-aid Highway Project No. M-7406 (001); and

WHEREAS, federal funds for the improvement depend upon compliance with federal and state laws governing procurement of right of way; and

WHEREAS, City of Idaho Falls has complied with the aforesaid laws and regulations in procuring right of way for Federal-aid Highway Project No. M-7406 (001).

NOW, THEREFORE, BE IT RESOLVED:

1. That the Mayor is authorized to execute a RIGHT OF WAY CERTIFICATE certifying that the aforesaid laws have been complied with.
2. That copies of the executed certificate shall be furnished to the Idaho Transportation Department, Division of Highways.

**CERTIFICATION**

I hereby certify that the above is a true copy of a Resolution passed at a regular meeting of the City Council, held on October 20, 1983.

s/ Velma Chandler

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It was moved by Councilman Sakaguchi, seconded by Deist, that the Mayor and City Clerk be authorized to sign the documents necessary to complete the Highway Department files, prior to the construction of Phase II of 17th Street, between Boulevard and Rollandet. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Chandler, and Erickson; No, none; carried.

Also, from the Public Works Director came memo:

October 19, 1983

MEMORANDUM

ATTENTION: Mayor and City Council  
FROM: Donald F. Lloyd, P.E.  
SUBJECT: SEWER SERVICE CONTRACT - OUTSIDE CITY

We are presenting herewith a contract for Sewer Service Outside the City, in favor of Hammond Music Co. on North Yellowstone. The Public Works Committee has reviewed the arrangements, all fees have been paid, and we are recommending that the Mayor be authorized to sign the City's approval.

s/ Donald F. Lloyd, P.E.

It was moved by Councilman Sakaguchi, seconded by Deist, that the Mayor be authorized to sign the City's approval on the contract for outside the City sewer service for Hammond Music Company. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson, and Deist; No, none; carried.

Finally, from the Public Works Director came this memo:

October 20, 1983

MEMORANDUM

ATTENTION: Mayor and City Council  
FROM: Donald F. Lloyd P.E.  
SUBJECT: OPTION TO PURCHASE

The City has previously executed an "Option to Purchase" certain tracts of land from Bish Jenkins. These lands are primarily used for a gravel source and later as a landfill site.

The Public Works Committee recommends the Council exercise this year's option and authorize the Controller to pay the amount set forth in the contract.

s/ Donald F. Lloyd, P.E.

It was moved by Councilman Sakaguchi, seconded by Deist, that the Council exercise this year's option to purchase land from Bish Jenkins and authorize the Controller to pay the amount set forth in the contract. Roll call as follows: Ayes, Councilmen Sakaguchi, Chandler, Erickson, Deist, and Hovey; No, none; carried.

Mayor Campbell announced that the second Council Meeting in November will be held Monday, November 21st.

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Mayor Campbell stated that he had appointed Gil Karst to replace Jack Carey on the Civil Service Commission. It was moved by Councilman Erickson, seconded by Sakaguchi, that this appointment be confirmed. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, and Sakaguchi; No, Councilman Chandler; carried.

Attorney Storer presented an agreement between the City and Deseret Industries, covering an encroachment into street right of way. It was moved by Councilman Sakaguchi, seconded by Deist, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

Attorney Storer presented the Findings of Fact, Conclusions of Law and Decision in the matter of application of Custom Land Development Company for re-zoning. It was moved by Councilman Deist, seconded by Sakaguchi, that this Findings of Fact, Conclusions of Law and Decision be placed on file in the office of the City Clerk. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

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

s/ Velma Chandler  
City Clerk

s/ Thomas Campbell  
Mayor

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