

MARCH 4, 1982

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, March 4, 1982.

Prior to calling the meeting to order, Mayor Pro Tem Erickson excused Mayor Campbell from the meeting, stating that the Mayor was in Boise attending Legislative meetings; and, also Councilman Wes Deist, due to the death of his son, Dana Deist.

At the request of Mayor Erickson, Brent McNeeley came forward and led 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 Pro Tem Mel Erickson. Absent: Mayor Tom Campbell. Councilmen Ralph Wood, Art Chandler, Paul Hovey, and Sam Sakaguchi. Absent: Councilman Wes Deist. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney; and all other available Division Directors.

Minutes of the last Regular Meeting held on Thursday, February 18th, 1982, were read and approved.

At the request of Mayor ProTem Erickson, Don Holverson escorted employee retiree John Beard to the Council Table. The Mayor congratulated John for his years of dedicated service of the City, wished him well in his years of retirement and presented him with an inscribed gold watch. Mr. Beard then received a congratulatory handshake from all City Officials around the Council Table.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider proposed amendments to the Comprehensive Plan and called upon Councilmen Wood, as Chairman of the Planning and Zoning Committee to conduct the hearing. At the request of Councilman Wood, this explanatory memo from the City Planner was read by the City Clerk:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: PROPOSED AMENDMENTS TO COMPREHENSIVE PLAN

This office has received three requests for amending the Comprehensive Plan. All of these requests were generally in the East 17th Street area and all were requesting changes from multi-family and professional office designation to commercial designation on the Land Use Map. The City Planning commission considered these requests at their regular meeting in February. At that time, several protests were registered by property owners in the area and after considerable discussion, the Planning Commission unanimously recommended denial of all three requested changes. The Commissioners felt this area has been developing very well as a professional office - multi-family residential area, and this was preferable to strip retail commercial development.

One of the requests has been subsequently withdrawn and one has been appealed to the Mayor and City Council. This office has not been contacted by the third party, relative to this hearing.

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

s/ Rod Gilchrist

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Councilman Wood explained the procedure of the hearing and then asked the City Planner to locate the subject property on a map on the wall.

City Planner Gilchrist explained that there had been three requests for business in the area. He said one request had been withdrawn, and the petitioners of the other two had been advised to attend the hearing this night if they wished to pursue the request. He said that one party, requesting a clothing consignment business was present in the Council Chamber this night.

Mrs. Charlotte Brace, 1430 Fairmont, the petitioner for the clothing consignment business, appeared stating that she wanted to make it clear that the people who protested at the Planning Commission Meeting were not protesting her request. She said that only one person had mentioned her request and he was concerned about the traffic and school children. Mrs. Brace congratulated the Council for the zoning laws and their efforts in making the zoning more uniform in the City. She said that she sympathized with the "half-hazard" zoning changes made by previous administrators. She said, further, that she was well aware of the inconsistencies in zoning regulations throughout the City. She said that she did not feel that people requesting to operate businesses in this area should be punished for the previous misjudgments of the City Administrators. Mrs. Brace compared her anticipated business to that of Staker Floral who had, some time ago, been allowed to operate their business in the same vicinity as her proposed business. She said that the property she anticipated for her business was already zoned for professional business and that future plans for this property were for a branch bank. She said that, in her opinion, a bank would generate much more traffic than her proposed operation. She said, further that a petition had been circulated and that all near-by property owners had signed it, stating that they would prefer her business to the neglected situation that now exists. Mrs. Brace concluded by saying that her proposed business would be a service to the citizens and asked the Council to consider her request on its own merits and not on the results of the Planning Commission recommendation.

Mr. Roland Beazer, 990 Jefferson Avenue, appeared briefly to endorse the clothing re-cycling business. He said this business would enhance the area and the community, and would benefit all the women of the near-by area.

Mr. Noris Brace, 1430 Fairmont, appeared stating that there are other Commercial businesses in the block where this clothing re-cycling business is proposed and he could see no reason why the Council would not allow this request.

Mayor ProTem Erickson stated that both Mrs. Brace and Mr. Beazer had made reference to the fact that this property was going to be professionally used in the future and asked what they were referring to. Councilman Wood answered that it is planned to construct a branch bank on this property. Erickson asked Mrs. Brace how long she planned to operate at this location? Mrs. Brace answered she planned to operate there until she was told to vacate so the bank could be constructed.

This letter in favor of the request was presented at this time:

To the Planning Commission:

I am unable to attend the meeting tonight but I would like to comment on some of the business of the previous meeting. Specifically, the rezoning request of the house of 17th for the used clothing store.

You stated that you did not want hodgepodge zoning. In that particular area, private residences are in the minority. Directly west you have KID, the dairy outlet and an ice cream store. The traffic generated by the used clothing business would in no way compare to those businesses. You had stated that you had inspected each of the properties with the rezoning requests. Surely then, you can see that the property in question is in dire need of some

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attention. In the summertime, the high, dry grass constitutes a fire danger as well as being unsightly. The people that live to the east do not object to the zoning change. They would in fact welcome someone there to clean the place up. The previous tenants have been noisy, had loud parties at late hours and have not contributed to the up-keep of the property. The people to the east are the only ones directly affected by the rezoning. That particular area of 17th Street is predominantly business now, and I really do not understand why the Planning Commission is reluctant to rezone that property. If anything, it would provide some uniformity in that area.

The small business man is getting little support in his efforts to improve this community. When the C. E. John Company was trying to get the mall in east of Albertsons, there were few objections from the local government despite numerous complaints from surrounding residents. Does a person have to be a huge conglomerate before they get a little cooperation from the City? If you are looking for violators of the zoning codes, look at one fellow who works for the City. He operates a part-time auto repair in a metal shed behind his house. Further down on Austin there is a huge double story metal shed and a fiberglass greenhouse both sitting on the property line. If I am not mistaken, City Code requires an eight foot leeway from property lines. Perhaps you do not consider either of these permanent structures. Finally, I think it is a sad day when the person trying to do things legally in this City, within City Code, and tries the good old American way to change things, meets with so little cooperation. I sincerely hope that you will consider this rezoning request in a new light.

Cordially,
s/ K.A. Hiatt
1567 Stanger Drive
Idaho Falls, ID 83401

City Planner Gilchrist reported that his office had received two phone calls from persons protesting these proposed changes to the Comprehensive Plan.

Councilman Wood noted that Mrs. Brace had commented about the three properties being lumped together by the Planning Commission and asked City Planner Gilchrist to respond to this. Gilchrist said that the Planning Commission had made a single motion to deny all three requests for amendment to the Comprehensive Plan. He said that the majority of the people who were protesting, mainly protested the request that has been withdrawn. H said, further that the Planning Commission had considered these individually, but combined them in the motion.

Councilman Chandler asked the Planner if he was correct in his understanding that, once the Comprehensive Plan is changed, it cannot be changed again for six months. The City Planner said this was correct. Chandler than asked that, if this matter is referred back to the Planning Commission with no action taken by the Council, could the Commission consider it without waiting the six month period. The Planner answered in the affirmative. Chandler then asked, if the City Planner felt this request would receive fair consideration by the Planning Commission when considered separately from the others that were on the agenda at the last Planning Commission Meeting. Gilchrist said that he felt it was unfortunate that the Commission had lumped the three requests into one motion, but he felt all three items had been considered on an individual basis and he did not feel that it would have made a difference on the decision made that night.

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Attorney Storer asked. "What was the Planning Commission's reason for denial?" The City Planner answered that, primarily, this area has been zoned for professional offices for some time, and is developing that way and this zoning was preferred over strip commercial development.

Councilman Hovey asked if he understood correctly that the subject property is now owned by someone who intends to build a bank there and if so, would it not be true that a bank would draw more traffic than the requested business? Gilchrist stated that a branch bank would be permitted at this location, and said that the Commission usually does not look at a specific business, but at all the permitted uses of the zone. He said that, normally, a retail business draws much more traffic than does a branch bank. Hovey said that, in his opinion, a bank is a business not a professional office. Gilchrist answered that a branch bank is a permitted use in the zone.

Councilman Wood asked if the property adjacent to this subject is zoned commercial at the present time? Gilchrist answered in the affirmative.

Mr. Roland Beazer re-appeared to comment that the petitioners had already consigned some items and asked the Council to take this into consideration when they made their decision.

Councilman Erickson asked the City Attorney if he felt this request should be considered as a separate item.

Attorney Storer answered by saying he was concerned with the fact that the form of the motion comes forth as an amendment to the Comprehensive Plan and was not in the nature of rezoning. He said that, if all three of the requests concern the same amendment to the Comprehensive Plan, they could be treated as one. He said that, in his opinion, if the requests were to be treated for rezoning, then they should be considered separately. He said the question to be considered this night was not to consider a specific parcel of property, but to determine if the Council wished to make the amendments to the Comprehensive Plan as a whole, which would permit the change from multi-family dwellings and professional offices to commercial use.

Councilman Hovey stated that the Council is not bound by the recommendation of the Planning Commission and asked if there would be anything against the Council amending the portion of the plan only that pertains to the clothing consignment business.

Attorney Storer stated that the City Council does have that authority, but he would have some hesitation about amending the plan as to one particular parcel of property only. Councilman Wood, asked the Attorney if he would recommend that the petitioner go back to the Planning Commission and request consideration of their property individually. Storer said that he did not think this would solve the problem because the request, as it comes forth, is for a use that is not permitted by the Comprehensive Plan. Storer stated, further, that it is necessary to amend the Comprehensive Plan before a rezoning can be granted. He said the request as presented is much broader because, if the Comprehensive Plan is amended, it will allow commercial use along 17th Street.

Councilman Chandler asked the Attorney if the petitioner could go to the Planning Commission with a specific area rather than all three parcels together, and ask for a change in the Comprehensive Plan for that location only?

Attorney Storer answered that this could be done, but, added that the request is for an amendment in the Comprehensive Plan in one particular place and, as he understands the Comprehensive Plan, the design is to have multi-family, professional office buildings all along 17th Street. Storer said that, if the City starts carving spots out then this will upset the determination that 17th Street should be developed as multi-family, professional office buildings. He, again, stated that the Council had the right to make this decision, but he wanted to point out that, if that change is made in the Comprehensive Plan, then the Council will, perhaps start a new trend.

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Councilman Hovey asked if the other two requests were for 17th Street property. Attorney Storer answered that it was his understanding that one was on Hitt Road. Hovey said that, in his opinion, this was spot revision of the plan and he could see no difference between that and the possibility of the Council choosing to select one piece of property for change this night. Attorney Storer said that they should be considered separately, but he still wanted to point out that, to be able to have the permitted use, the Council will need to amend the Comprehensive Plan and he would question that this would be appropriate as a manner of good planning policy.

Mayor Erickson said that it sounded to him that the Council was trying to deal with this property separately and asked if it were possible at this time to have this matter come back to the Council as a single piece of property. As an example, he proposed that the Council approve the proposal that the Planning Commission has made and having the petitioners submit a request for a variance on the property. Attorney Storer answered that there was no problem with having these requests considered separately, but he did not want to encourage the petitioners by doing that. He said that these requests could be appropriately referred back to the Planning Commission. Hovey asked what would be accomplished by referring it back to the Planning Commission as he felt this would be an un-necessary step to require as the resolve would be the same. He said that he felt there should be a way to help these people without causing all these extra steps. Mrs. Brace asked "How Staker Floral was allowed their rezoning?" Councilman Chandler answered that Staker Floral had been allowed a variance. Councilman Wood asked the Attorney to explain the term "variance". Attorney Storer said that, at the time Staker Floral was considered, they had requested a variance from the strict application of the zoning code. He said that there have been some recent decisions since that time that will no longer permit a use variance from the zoning code. He said that there have been some recent decisions since that time that will no longer permit a use variance from the zoning code. Mrs. Brace asked "When had Staker's variance been allowed?" City Planner Gilchrist answered that it was approximately one year ago. Mrs. Brace said that they have had their request before the Planning Commission for nearly that length of time and that the Mayor and City records could verify this. Councilman Wood asked that, if the change is made for one piece of property, would this amend the entire Comprehensive Plan? Attorney Storer answered that this action would not change the entire plan. Wood asked the Planner if the Planning Commission felt that they had made a mistake by considering the parcels jointly? Gilchrist answered that they had felt it proper to consider them jointly at first, but after criticism, they felt that separate motions should have been made. He said that he felt the other two proposals had been withdrawn as they did not appear for this hearing.

Councilman Chandler asked the Attorney if the Council could take action to amend the Comprehensive Plan and then the procedure for the applicant to follow would be to make application to the Planning Commission for the use that is allowed in the Comprehensive Plan. Storer answered in the affirmative. Chandler then asked, "If the Council amends the Comprehensive Plan tonight, this does not necessarily grant that use, it authorizes it within that area, but the proper procedure would be for the petitioner to request that the Planning Commission allow that use under the Comprehensive Plan and then a public hearing held to rezone the property to commercial zoning". Chandler said that it was his understanding that the Comprehensive Plan is amended to allow the use and then a request can be made to meet the uses allowed under that zone. Attorney Storer answered that this was correct.

There being no further questions or comment, it was moved by Councilman Wood, seconded by Hovey, that the Comprehensive Plan be amended on this one particular piece of property next to KID, with a recommendation that, through the proper procedure, this property be changed to commercial zoning. Roll call as follows: Ayes, Councilmen Erickson, Hovey, and Wood; No, Councilmen Sakaguchi and Chandler; carried.

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Mr. Woodrow Russell, 1521 Clairview, appeared briefly to request that the Council declare Foote Drive be vacated, to allow him to construct a garage on this unused street. Public Works Director Lloyd advised Mr. Russell that he must submit a request for this to the Public Works Department and then it will be reviewed by the Public Works Council Committee who, in turn, will make a recommendation to the Council for their consideration. Councilman Sakaguchi said that he felt the Committee could have a recommendation by the next Council Meeting on March 18, 1982.

The City Clerk asked for Council ratification of the publishing of a legal notice calling for the public hearing held this night to consider proposed amendments to the Comprehensive Plan. It was moved by Councilman Wood, seconded by Hovey, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

Also, in need of ratification, according to the City Clerk, was the publishing of a legal notice calling for a public hearing on March 18th to consider certain amendments to the Zoning Code. It was moved by Councilman Wood, seconded by Chandler, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk asked for Council ratification of the forwarding of a damage claim, in the name of Clarence A. Taylor, to the City's Liability Insurance Carrier on February 24th, without formal Council approval:

February 22, 1982

NOTICE OF CLAIM

TO: CITY CLERK, CITY OF IDAHO FALLS
308 "C" Street, Idaho Falls, Idaho

NOTICE IS HEREBY GIVEN pursuant to Idaho Code Section 6-901, et seq., that the undersigned claims general and special damages in the sum of \$25,000.00 as a direct and proximate result of the actions of the City in that the City, after first being duly warned and placed on notice, permitted a hazard to exist, to-wit: an unfilled hole or crater on Claire View Lane into which Clarence A. Taylor's vehicle was driven, causing said vehicle to be damaged beyond repair and causing personal injuries to Clarence A. Taylor; that the aforesaid occurrence took place on February 16, 1982, and that the injuries sustained by Clarence A. Taylor and the damage incurred to his vehicle were proximately caused by the negligence, carelessness and wrongful doing of the City of Idaho Falls in failing to barricade, repair or otherwise provide reasonable notice to the users of the City street; that the address and other vital particulars of claimant are as follows:

Clarence A. Taylor
853 Claire View Lane
Idaho Falls, Idaho 83402

That further particulars may be had upon proper inquiry of claimant's attorney, M.B. Hiller, of the law firm of St. Clair, Hiller, Wood, & McGrath, Chartered, P.O. Box 29, Idaho Falls, Idaho 83402, telephone 522-2350

Dated this 22nd day of February, 1982.

ST. CLAIR, HILLER, WOOD &
MCGRATH, CHARTERED
s/ Attorney M.B. Hiller

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It was moved by Councilman Chandler, seconded by Wood, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Controller was then read:

City of Idaho Falls
March 4, 1982

MEMORANDUM

TO: Mayor Thomas Campbell and City Council
FROM: John D. Evans, City Controller
SUBJECT: APPROVAL OF MONTHLY BILLS

Due to technical difficulties the monthly Council Listing "Warrants Issued and Accounts Payable", covering the bills for the month of February, 1982, was unable to be printed at this time. I am requesting Council approval for me to pay the bills as soon as the list is prepared. I will request ratification of this action at Council Meeting March 18th.

s/ John D. Evans

It was moved by Councilman Chandler, seconded by Wood, that the City Controller be authorized to pay the bills for February and have this action ratified at the next Council Meeting on March 18th. Roll call as follows: Ayes, 5; No, none; carried.

Monthly reports from Division and Department Heads were presented for the Month of February, 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, Cliff House, 19th Hole Cafe; GROCERY STORE, Maverick Country Store; BAKERY, Carsten's Bakery; ELECTRICAL CONTRACTOR, Ideal Electric, Farnsworth Electric, James Crook Electric; JOURNEYMAN ELECTRICIAN, James P. Crook, Robert Farnsworth, Karl Anderson, J. Wayne Van Orden, Kent Van Orden; APPRENTICE ELECTRICIAN, Bryan Van Orden; MASTER PLUMBER, Ramrk Plumbing; JOURNEYMAN PLUMBER, Mark Goyen, Ray Goyen; HEATING AND COOLING, CLASS D JOURNEYMAN, GF, Gary Ostler, Paul M. Ostler; HEATING & COOLING, CLASS D JOURNEYMAN, REF, Edward Stevens, Brent Conan; HEATING AND COOLING, CLASS D APPRENTICE, GF, Michael Ostler; NON-COMMERCIAL KENNEL, Jessie L. Brister; AUCTIONEER, Hardy Ward with Western Professional Management; PUBLIC CONVEYANCE, Blaine Garn; MOTEL, Evergreen Gables; SIGN COMPANY, Northwest Neon Sign Company; Young Electric Sign Company; BARTENDER, Gregory A. Brown, Debbie K. Katseanes, Marlene Price; BEER (TO BE CONSUMED ON THE PREMISES), 19th Hole Golf Course, Cliff House, Bugger's Place; WINE BY THE DRINK, Cliff House; LIQUOR CATERING PERMIT, Eagles Lodge #576; PRIVATE PATROLMAN, K.C. Baird, William Howard; PUBLIC RIGHT OF WAY, Edstrom Construction Company, Bateman Hall, Inc., were presented. It was moved by Councilman Wood, seconded by Chandler, that these licenses be issued, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk presented these two license applications carrying a recommendation from the Police Chief that they NOT be granted: NON-COMMERCIAL KENNEL, James Barrett; COMMERCIAL KENNEL, Rosella Rhoades. It was moved by Councilman Wood, seconded by Chandler, that the recommendation of the Police Chief be upheld and these two licenses be denied. Roll call as follows: Ayes, 5; No, none; carried.

From the City Planner came this memo:

MARCH 4, 1982

City of Idaho Falls
May 3, 1982

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: PUBLIC TRANSPORTATION DEVELOPMENT PLAN

The City of Idaho Falls was recently awarded a grant to conduct a public transportation feasibility study. This is an \$11,500.00 project, 80% to be Federally funded, 10% State funded, and 10% to be locally funded. The local share will be funded jointly by the City and CART.

The Mayor and City Council recently accepted this grant and authorized the staff to proceed with selecting a consultant to perform the work. The Mayor appointed a selection Committee, consisting of Art Chandler, Ed Turner, Herb Norr, and Rod Gilchrist. This Committee interviewed four firms and selected TDA, with Larry Mattel of Boise as project manager, as consultant for the project.

We are now requesting the Mayor and City Council to award the contract to this firm and to authorize the Mayor to sign the necessary contracts subject to the City Attorney's approval.

s/ Rod Gilchrist

It was moved by Councilman Chandler, seconded by Wood, that the contracts be awarded to TDA, with Larry Mattel as project manager, to conduct a public transportation feasibility study, and authorization be given for the Mayor to sign the necessary contracts, subject to the approval of the City Attorney. Roll call as follows: Ayes, 4; No, none; carried. Councilman Hovey voting no.

Also, from the City Planner, came this memo:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT - ROSE NIELSON 102

Attached are copies of the final plat and development agreement for the above described subdivision. This property was previously annexed to the City and zoned R-3A, R-2A and RPA.

The City Planning Commission recently considered this matter and at that time recommended approval of the final plat.

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

s/ Rod Gilchrist

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At the request of Councilman Wood, the City Planner located the subject property on a map on the wall. It was moved by Councilman Wood, seconded by Chandler, that the final plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

It was then moved by Councilman Wood, seconded by Chandler, that the Council also approve the development agreement for Rose Nielson #102 and authorize the Mayor and City Clerk to sign the agreement. Roll call as follows: Ayes, 5; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls
March 2, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: LAND ACQUISITION, GEM STATE PROJECT

Agreement has been reached with three (3) property owners relative to land acquisition for the Gem State Project.

The agreement for purchase of the Hult property is in the amount of \$60,000 total.

The agreement for the Ramsey property is in the amount of \$90,000 total.

The Colemans will accept \$800 for the take required from them.

The Electric Division recommends that the Council authorize the Mayor to sign these agreements, disburse the monies and direct the City Attorney to close the transactions.

s/ Steve Harrison

It was moved by Councilman Hovey, seconded by Wood, that the City of Idaho Falls be authorized to issue the necessary checks for the purchase of the Hult property in the amount of \$60,000; the Ramsey property in the amount of \$90,000 and the Coleman property in the amount of \$800. Hovey noted that these lands will become part of the Gem State Project. Roll call as follows: Ayes, 5; No, none; carried.

Also, from the Electrical Engineer came this memo:

City of Idaho Falls
March 2, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: GEM STATE PROJECT

CH2M Hill has been directed to cease work on the Gem State Project until a tentative agreement has been reached with Utah Power & Light.

MARCH 4, 1982

Utah Power & Light has now agreed to allow us access for further subsurface drilling and exploration.

Private land acquisition should continue and FERC has been requesting further information regarding the license and associated EIS. In addition, a stability study is required to determine certain generator and system operating parameters for this plant.

Acquisition of the Corps of Engineers gates for the project can wait until the A-E selected.

Attached is CH2M's estimate in the amount of \$157,500 for these services.

The Electric Division requests authorization to have CH2M to proceed on these projects. Money has been budgeted for this work and the \$157,500 will not be exceeded without further Council action.

Steve Harrison

Councilman Hovey stated that this is a continuation of CH2M work on the Gem State Project and is budgeted for in the current budget. It was moved by Councilman Hovey, seconded by Wood, that the Electric Light Manager be authorized to approve the agreement with CH2M to proceed with this work. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the Electrical Engineer, this memo was read:

City of Idaho Falls
March 4, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: GEM STATE PROJECT - TURBINE/GENERATOR

The Electric Division requests authorization to advertise for bids for the turbine and generator required for the Gem State Project.

Cost of advertising is minimal and the City would have no obligation to award after opening the bids. This equipment is a long lead time item and is a controlling factor in the construction schedule.

s/ Steve Harrison

Councilman Hovey stated that it is imperative that the Council give authorization to advertise for bids on the project. He said that the City is not obligated to accept the bids, pending approval by the voters of this project. It was moved by Councilman Hovey, seconded by Wood, that the Electrical Division be authorized to advertise for bids as requested. Roll call as follows: Ayes, 5; No, none; carried.

From the General Services Director came this memo:

MARCH 4, 1982

City of Idaho Falls
March 2, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-9, TRASH PUMP

Attached is a tabulation of bids for a four (4) inch trash pump. It is the recommendation of the Sewer Department and General Services Division that the City Council accept the bid of Arrowhead Machinery for \$8,745.00.

This is not the low bid, however, it is the only bid meeting the specifications set forth in the bid documents.

Thank you,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the bid of Arrowhead be accepted for a trash pump in the amount of \$8,745.00. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the General Services Director came this memo:

City of Idaho Falls
March 2, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-13, WATER HEATER INSULATION WRAPS

Attached is a tabulation of bids for furnishing and installing an estimated 8,000 water heater insulation wraps on residential electric water heaters. It is the recommendation of the Electrical and General Services Divisions that the City Council accept the low bid of Intermountain Construction, Inc. at \$17.49 per wrap to perform the specified work.

It is also requested that the City Council authorize the Mayor to execute the property contract documents.

Thank you,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the Council accept the low bid of Intermountain Construction, Inc. at \$17.49 per wrap and the Mayor and City Clerk be authorized to execute the proper contract documents. Roll call as follows: Ayes, 5; No, none; carried.

Also, from the General Services Director came this memo:

MARCH 4, 1982

City of Idaho Falls
February 26, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID IF-82-11, EIGHT POLICE PATROL SEDANS

It is the recommendation of the General Services Division that the City Council accept the low bid of Ellsworth Brothers, Inc. to furnish eight (8) police sedans with trade at \$8,396.00 per each.

Thank you,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the low bid of Ellsworth Brothers, Inc. be accepted to furnish eight police sedans with trade at \$8,396.00 each. Roll call as follows: Ayes, 5; No, none; carried.

Still, from the General Services Director, came this memo:

City of Idaho Falls
March 2, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID # IF-82-10, CIRCUIT SWITCHERS

It is the recommendation of the Electrical and General Services Division that the City Council accept the low bid of Siemens-Allis, Inc. to furnish three (3) circuit switchers for a total of \$74,490.00 as per bid specifications.

Thank you,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the Council accept the low bid of Siemens-Allis, Inc. to furnish three circuit switches for a total of \$74,490.00. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the General Services Director, came this memo:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID IF-82-7, FIRE APPARATUS - 1250 GPM PUMPER

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Attached is a tabulation of bids for one (1) 1250 Gallon Pumper. It is recommended that the City Council accept the second low bid of L. N. Curtis & Sons to furnish the specified equipment at a net cost of \$134,097.00. The net cost reflects allowances for trade and payment for chassis upon delivery at the factory.

The Fire Department has recommended that the low bid not be accepted because of the poor performance of equipment purchased from the low bidder on past occasions.

Thank you,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the second low bid of L. N. Curtis & Sons, be accepted to furnish the specified equipment, at a net cost of \$134,097.00. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the General Services Director came this memo:

City of Idaho Falls
February 23, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: PROPOSED LEASE EXTENSION - 19TH HOLE CAFE

Attached is a propose extension to a lease agreement between the City of Idaho Falls and Renee' Walsh and Karen Stueve for the 19th Hole Cafe located at Pinecrest Golf Course.

The proposed agreement extends the present lease under the same terms and conditions for one (1) additional year from January 1, 1982, to December 31, 1982.

This agreement has been approved by the Golf Course Committee and reviewed by the City Attorney. It is the recommendation of Property Management and the General Services Division that the City Council approve the lease extension and authorize the Mayor and City Clerk to sign.

Thank you,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that this lease extension be granted for the calendar year 1982 and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

From the Public Works Director come this memo:

MARCH 4, 1982

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: EXCHANGE OF UTILITY EASEMENT - FALLS VALLEY
ADDITION, DIVISION NO. 1

We have received a request in Falls Valley Addition, Division No. 1 to vacate an unused Utility Easement in exchange for providing easements where powerlines now exist. This request has been reviewed in the field and the Public Works Committee is recommending the City Attorney be instructed to prepare a vacating Ordinance for this Easement and the necessary documents to acquire the new easement needed.

s/ Donald F. Lloyd

Councilman Sakaguchi explained the need for this exchange. It was moved by Councilman Sakaguchi, seconded by Chandler, that the City Attorney be instructed to prepare an Ordinance and necessary documents to acquire the new easements needed. Roll call as follows: Ayes, 5; No, None; carried.

Next, from the Public Works Director came this memo:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: VACATION - KEEFER STREET

We have received a request from Tim Devine, Pacific Recycling Manager, to vacate an unused portion of Keefer Street, lying between the railroad and Higbee Avenue. In consideration for this vacation, Pacific Recycling has agreed to install curb, gutter, and sidewalk on that portion of Keefer Street, west of Higbee Avenue.

Public Works Committee has reviewed this proposal and we are recommending the City Attorney be instructed to prepare a vacation Ordinance for that portion of Keefer Street.

s/ Donald F. Lloyd

At the request of Councilman Sakaguchi, Public Works Director Lloyd located the subject property. Councilman Sakaguchi explained the request. It was moved by Councilman Sakaguchi, seconded by Chandler, that the City Attorney be instructed to prepare a vacation ordinance for that portion of Keefer Street. Roll call as follows: Ayes, 5; No, none; carried.

Also, from the Public Works Director, this memo was presented:

MARCH 4, 1982

City of Idaho Falls
March 2, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: SEVENTEENTH STREET RIGHT-OF-WAY

New Federal Regulations require the Mayor and Council to appoint a City Representative to approve all right-of-way appraisals prior to making offers. The purpose of this appointee is to insure that the City approves the value established by outside appraisers before the Right-of-Way Agent starts negotiations.

Public Works Council Committee is recommending the Mayor appoint a City Representative to approve right-of-way values for the Seventeenth Street project.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Chandler, that the Mayor be authorized to appoint City Representative to approve all right-of-way values for the Seventeenth Street Project. Roll call as follows: Ayes, 5; No, none; carried.

Mayor Pro Tem Erickson then appointed Public Works Director Don Lloyd to approve all right-of-way values for the Seventeenth Street Project. It was moved by Councilman Sakaguchi, seconded by Chandler, that this appointment be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the Public Works Director came this memo:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: SEWER SERVICE (INSIDE CITY)

We are attaching hereto a Sewer Service Contract in favor of Arlin Fell. This Contract calls for the sewer main charge to be paid over a period of four (4) years.

Public Works Committee has reviewed this proposal and are recommending Mayor sign this Agreement.

s/ Donald F. Lloyd

Councilman Sakaguchi located the property and explained the request. It was moved by Councilman Sakaguchi, seconded by Chandler, that this proposal be accepted and the Mayor be authorized to sign the Agreement. Roll call as follows: Ayes, 5; No, none; carried.

Still, from the Public Works Director, came this memo:

MARCH 4, 1982

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: WATER AND SEWER SERVICE (OUTSIDE CITY)

We have received a request for both water and sewer service on North Yellowstone, just north of the Idaho Canal. This property is not contiguous to the City Limits at this time, but both utilities are available. We are attaching a Water and Sewer Service Contract for service outside the City in favor of Don Moedl. The Public Works Committee is recommending the Mayor be authorized to sign this contract.

s/ Donald F. Lloyd

Councilman Sakaguchi located the property. He stated that Mr. Moedl has been assessed with a County L.I.D. for sewer and water and the access road. He said that Mr. Moedl is willing to pay the hook-up charges and the outside-the-City rates for City services. It was moved by Councilman Sakaguchi, seconded by Chandler, that the Mayor be authorized to sign the outside-the-City water and sewer service contract in favor of Don Moedl. Roll call as follows: Ayes, 5; No, none; carried.

From the Public Works Director, this memo was read:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: WESTSIDE INTERCEPTOR AND RIVER CROSSING

On February 17, 1982, six (6) bids were received for Schedule "B", the Snake River pipeline crossing, and five (5) bids were received for Schedule "C", the actual connection to the Interceptor. The bid tabulations for these bids are attached. The Public Works Committee has reviewed these bids and are recommending that a Contract be awarded to the low bidder for Schedule "B", Frontier West from Missoula, Montana, in the amount of \$409,194.00. We are also recommending that the low bidder, O & F Construction of Idaho Falls, be awarded the Contract for Schedule "C" in the amount of \$36,269.00. It is recognized that the awards of these Contracts are both subject to EPA and Idaho Department of Health and Welfare approval.

s/ Donald F. Lloyd

Councilman Sakaguchi noted that the engineer's estimate for Schedule "B" was \$597,700.00 and the high bid was \$741,350.00. He said that the Committee was very pleased with the low bid of Frontier West in the amount of \$409,194.00; Schedule C, the engineer's estimate was \$42,555.00, the high bid was \$49,972.00 and the low bid of O & F Construction was \$36,269.00. It was moved by Councilman Sakaguchi, seconded by Chandler, that the Council award the Contracts as recommended and authorize the Mayor and City Clerk to sign, subject to EPA and Idaho Department of Health and Welfare approval. Roll call as follows: Ayes, 5; No, none; carried.

MARCH 4, 1982

Still, from the Public Works Director, came this memo:

City of Idaho Falls
March 2, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: WELL NO. 15 RESERVOIR

On February 24, 1982, six (6) bids were received for the construction of the reservoir at Well Site No. 15. These bids have all been reviewed and the Public Works Committee is recommending that a Contract be awarded to the low bidder, Ovard and Collins of Idaho Falls, in the amount of \$686,900.00.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Chandler, that the Contract be awarded to Ovard and Collins in the amount of \$686,900.00 as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the Public Works Director, this memo was read:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: AMENDMENT TO ANNEXATION AGREEMENT FOR SHAMROCK PARK ADDITION, DIVISION NO. 3

We are submitting an Amendment to the Annexation Agreement for Shamrock Park Addition, Division No. 3 in favor of Jack Flynn. This Amendment provides for a delay of fee payments until there is construction in the subdivision. Public Works Committee has reviewed this Amendment and are recommending the Mayor be authorized to sign the City's approval.

s/ Donald F. Lloyd

Councilman Sakaguchi explained that, because of the lull in building, some of the developers of annexed property cannot begin building nor can they make the payments due to the City. He said that some of the developers had even asked for de-annexation so that they would not be required to pay the City fees. Sakaguchi said, further, that the Public Works Committee feels it would be wiser to not de-annex, and provide for delay of fee payments until there is construction in the sub-divisions. Sakaguchi said that the next three memos deal with these requests. It was moved by Councilman Sakaguchi, seconded by Chandler, that the amendment to the annexation agreement for Shamrock Park #3 be accepted and the Mayor and City Clerk be authorized to sign the documents. Councilman Chandler noted that these documents have been approved by the City Attorney. Roll call as follows; Ayes, 5; No, none; carried.

Next, from the Public Works Director, this memo was read:

MARCH 4, 1982

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: AMENDMENT TO ANNEXATION AGREEMENT -
CAMBRIDGE TERRACE #3

We are submitting an Amendment to the Annexation Agreement for Cambridge Terrace #3 in favor of Dick Clayton, Sr. This amendment provides for a delay of fee payments until there is construction in the sub-division. Public Works Committee has reviewed this amendment and are recommending the Mayor be authorized to sign the City's approval.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Chandler, that the amendment to the annexation agreement for Cambridge Terrace #3 be approved and the Mayor and City Clerk be authorized to sign the City's approval. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Public Works Director this memo was submitted:

City of Idaho Falls
March 3, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: AMENDMENT TO ANNEXATION AGREEMENT/OLD
FASHION WAY #3

We are submitting an Amendment to the Annexation Agreement for Old Fashion Way #3 in favor of Gary Davidson. This amendment provides for a delay of fee payments until there is construction in the sub-division. Public Works Committee has reviewed this amendment and are recommending the Mayor be authorized to sign the City's approval.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Chandler, that the amendment to the annexation agreement for Old Fashion Way #3 be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

Mayor ProTem Erickson noted several scout troops in the Council Chamber and thanked them for their presence.

There being no further business, it was moved by Councilman Hovey, seconded by Wood, that the meeting adjourn at 8:55 P.M., carried.

s/ Velma Chandler
CITY CLERK

s/ Melvin Erickson
MAYOR PRO TEM