

SEPTEMBER 24, 1981

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, September 24th, 1981, in the Council Chamber in Idaho Falls, Idaho. There were present at said Meeting: Mayor Thomas Campbell; Councilmen Ralph Wood, Art Chandler, Mel Erickson, Wes Deist, and Paul Hovey. Absent: Councilman Sam Sakaguchi. Also present: Velma Chandler, City Clerk; Dale Storer, Assistant City Attorney, and all other available Divisions Directors.

Minutes of the last Regular Council Meeting held September 10th and a Special Meeting held September 23rd, 1981, were read and approved.

The Mayor invited Eagle Scout Rod Ruiz to come forward to the Council Table. Mayor Campbell commended Rod for having received this award, stating that he was a member of a "select" group of fine men who had received the honor of becoming an Eagle Scout. The Mayor then presented a certificate of appreciation to Rod, after which Rod received a congratulatory handshake from all City Officials around the Council Table.

The Mayor announced that this was the time and the place to conduct a public hearing to consider an appeal of the Board of Adjustment on a request for a variance to allow the moving of an existing house from 575 "H" Street to 1580 Elmore, and called upon Councilman Chandler, as Chairman of the Planning and Zoning Committee, to conduct the hearing. At the request of Councilman Chandler, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
September 22, 1981

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: APPEAL FROM DECISION OF BOARD OF ADJUSTMENT

Attached is a copy of an appeal from the decision of the Board of Adjustment and a copy of the original request for a variance, submitted by Dale and Evelyn Thompson. Their request is to move an existing house now located at 575 "H" Street to 1580 Elmore.

The request for the variance was denied by the Board of Adjustment and the Thompsons are appealing that decision to the Mayor and City Council. The home is structurally sound and the recommendation of the Department was to replace broken windows, damaged plaster, paint the exterior and reshingle the roof and bring plumbing and wiring up to code before occupancy.

The petitioner has agreed to these conditions. This Department recommends approval of the request and this matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Councilman Chandler asked if there was anyone who wished to speak in favor of this request.

Mr. Dale Thompson, 813 J Street, the petitioner, appeared briefly to state that the building was structurally sound and he would agree to repair the building, bring everything up to code, landscape the property and, in his opinion, this would be a good addition to the neighborhood of Elmore Street. Councilman Deist asked if this would be a single family dwelling. Mr. Thompson answered in the affirmative. Deist then asked if he, Mr. Thompson, and his family planned to occupy the home. Mr. Thompson answered that he would live in it and make it a beneficial addition to the area.

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There was no one else to appear either for or against this proposal. Therefore, it was moved by Councilman Chandler, seconded by Erickson, that this request be approved. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider the placement of a mobile home in the back yard of an existing residence at 725 Falls Drive, and called upon Councilman Chandler to conduct the hearing. At the request of Councilman Chandler, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
September 22, 1981

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REQUEST TO PUT MOBILE HOME IN RESIDENTIAL AREA

Attached is a copy of a petition submitted by Frank W., Fay, and Carol Williams at 725 Falls Drive. They are requesting permission to place a mobile home in the back yard of an existing residence at the above address. The mobile home is intended to be the residence of the daughter, Carol, who is retarded and handicapped, and cannot ascend and descend staircases.

This matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Councilman Chandler asked if there was anyone present who wished to speak in favor of this request.

Mrs. Fay Williams, one the petitioners, appeared briefly to state that her daughter Carol could not go up and down stairs without difficulty and so they were requesting permission to place a mobile home behind their residence for her to live in.

There being no one else to speak in favor of this request, Councilman Chandler asked if anyone would like to speak in opposition to the request.

Mr. Randy Johnson, 756 Falls, Drive, appeared to state that the daughter, Carol, had lived in the home with her parents for approximately four years and he could not understand why the need for the mobile home now. Mrs. Williams answered that Carol had problems with her knees and it was difficult for her to climb the stairs from her basement bedroom. Mr. Johnson said that this placement would create utility hookup problems and would, in his opinion, jeopardize the entire neighborhood from the aesthetic viewpoint. Councilman Chandler stated that the Williams may have a valid need for a mobile home, but, in the past, the Council has taken the stand that requests of this nature could not be allowed or it would set a precedence that could get out of control. Councilman Erickson agreed that this type of placement was against the code and would only set a precedent and create future problems if allowed. Councilman Hovey stated that approval of this variance would encourage similar requests from other residents and it would be difficult for the Council to justify denying them. He said, once you open the door, the Council could be flooded with, valid, human and sincere requests, thus, in his opinion, the Council should not set a precedent by allowing this variance.

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Councilman Chandler stated that he understood the needs of handicapped people but, he could not recommend approval of this request because of the precedent setting factor. Therefore, it was moved by Councilman Chandler, seconded by Deist, that this variance request be denied. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk asked for Council ratification of the publishing of two legal notices calling for the public hearings, held this night, to consider the moving of a vacant house and the placement of a mobile home. It was moved by Councilman Chandler, seconded by Deist, that the previous action of the City Clerk in publishing these legal notices be 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 October 8th to consider the initial zoning of property located on the SW corner of Market and Bellin Roads. It was moved by Councilman Hovey, seconded by Chandler, that the City Council ratify the previous action of the City Clerk in publishing this legal notice. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk asked for Council ratification of the forwarding of two damage claims, in the names of Steven Reno and Edward Hughes, to the City's Liability Insurance Carrier, as follows:

September 10, 1981

VELMA CHANDLER
Clerk, City of Idaho Falls
P.O. Box 220
Idaho Falls, Idaho 83401

Re: Injury to STEVEN H. RENO, Claim for Damages

Dear Mrs. Chandler:

Pursuant to our telephone conversation of September 9, 1981, please forward the following claim to the proper parties as soon as possible.

CLAIM FOR DAMAGES

On September 6, 1981, Steven H. Reno, of 3895 1st Street, Idaho Falls, Idaho, which address he has lived at for approximately one year, was golfing in the City Tournament at Pinecrest Municipal Golf Course in Idaho Falls. Having previously paid the entry fee to the City of Idaho Falls, Mr. Reno commenced play shortly after 11:30 a.m. There were only two players in the group, one being Mr. Reno, and the other LYN SMITH, whose address is unknown at this time. Mr. Reno was preparing to tee off on the No. 3 tee. The fairway on Hole No. 3 sloped down over a hill, making it difficult for people on the tee to see players down the hill. Mr. Reno climbed up the several wooden steps to reach the platform, looked for other players and then started down the steps. Unknown to Mr. Reno, half of one the wooden steps was missing. Mr. Reno's right foot went through the opening where the step was supposed to be, causing severe injury to Mr. Reno's right ankle, right knee, and right wrist and hand. The injury was witnessed by Lyn Smith, who immediately assisted Mr. Reno. The parties had a golf cart and attempted to complete the tournament but the pain became too severe and Mr. Reno forfeited the match and returned to the clubhouse. Mr. Reno then went to the emergency room at Riverview Hospital for treatment and x-rays. On September 9, 1981, Mr. Reno was examined by Rheim B. Jones, Specialist in Bone and Joint Surgery, at 870

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Memorial Drive, Idaho Falls, Idaho (524-2266). Dr. Jones concluded that the ligaments in Mr. Reno's right ankle were damaged. The damage was severe enough that Dr. Jones placed Mr. Reno's right ankle in a cast. Mr. Reno is scheduled to go back to Dr. Jones on September 30, 1981, for further evaluation.

Mr. Reno is totally incapacitated at this point and is unable to work. Mr. Reno is the sole owner and only workman for Steve's Fiat Repair Service. His net income from that job was approximately \$800.00 per month. He also worked for Neagle Realty, with a net income of about \$900.00 per month. Both jobs require Mr. Reno to be on his feet most of the day. He is unable to work at either job at this time.

Our review of Idaho case law, and the Idaho Tort Claim Act, clearly establishes the City's liability in this matter. Until a determination can be made as to the extent and permanency of Mr. Reno's injuries, for the purposes of assessing the general damages in this matter, we are insistent upon the City paying Mr. Reno's medical bills and his actual lost wages. After Doctor Jones examines Mr. Reno on September 30, 1981, we hope to be in a position to determine the general damages.

Please review this case promptly and call my office directly concerning it. At that time we can provide you with copies of medical bills to date and the actual dollar amount in lost wages to date.

Please feel free to call at anytime.

s/ Fred M. Adams, ESQ.

September 15, 1981

The City Clerk
308 "C" Street
Idaho Falls, Idaho 83401

Hello,

On the evening of September 14, 1981, following repeated difficulties with my electricity, I called Jewel Electric, Inc. for a service call to my house. The person from Jewel's and I tried to locate the problem, apparently without success. On the morning of September 15, 1981, part of the power was off again and I called Jewel again. The person from Jewel arrived at about 10:00 a.m. and almost immediately located the problem on a City power pole. The City Electrical Department sent a person over and the connections on the pole proved to be faulty.

I am requesting that the City reimburse me for the service call from Jewel Electric on September 14, 1981. A copy of the invoice is enclosed.

If you require additional information call me at work (529-1000 ext. 129).

s/ Edward Daniel Hughes

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It was moved by Councilman Hovey, seconded by Chandler, that the previous action of the City Clerk concerning the damage claims in the names of Edward Hughes and Steven Reno be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

License applications for: DELICATESSEN, Midget Market; FRUIT STAND, Thomas E. Albaugh; ELECTRICAL JOURNEYMAN, Kenneth Carlson; DANCE HALL, La Copa; ITINERANT MERCHANT, Douglas R. Smith; BARTENDER, Bonnie E. Davies, Christine Merkley, Ruthann Miller, William Beal, Nola Crew, Autumn Decker, Sharon Frazier, Karen Harder, Dennis E. McNamara, Steve Morse, Mike Purcell, Larry Watson, Pat Weighall; PRIVATE PATROLMAN, Randolph Allen Osborn; PRIVATE PATROL SERVICE; The Wackenhut Corporation; BEER (CANNED AND BOTTLED, TO BE CONSUMED ON PREMISES) La Copa, 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, 5; No, none; carried.

The City Clerk asked for ratification of the issuing of an auctioneer license, with the approval of the Police Chief, but without formal Council approval. It was moved by Councilman Erickson, seconded by Deist, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

From the City Clerk came this memo:

City of Idaho Falls
Office of the City Clerk

TO: Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

Under Section 50-409 of the Idaho Code, it is required that the City Council appoint an election judge and such other workers as may be necessary for each voting precinct within the City. Following, then, are our recommended names for these positions:

Precinct No. 1	JUDGE, Ellen Bingham; CLERKS, Vicki Brooks, Grace Tucker, Janice Andrews.
Precinct No. 2	JUDGE, Marge Killian; CLERKS, Julie Dean, LaRue Daw.
Precinct No. 3	JUDGE, Wilma Olsen; CLERKS, Eileen Anderson, Joann Cissel.
Precinct No. 4	JUDGE, Mary Ellen Steinke; CLERKS, Noel Bickel, Helen Howell.
Precinct No. 5	JUDGE, Joy Hobbs; CLERKS, Joyce Schrader, Kay Hatch.
Precinct No. 6	JUDGE, LaDean Worton; CLERKS, Ruth Moore, Erma Rossiter.
Precinct No. 7	JUDGE, Peggy Empey; CLERKS, Esther Mathews, LaRue Bell.
Precinct No. 8	JUDGE, Ethel Rasmussen; CLERKS, LaVinia VanOrden, Inez Molen
Precinct No. 9	JUDGE, Eva Metcalf; CLERKS, Fern W. Virgin, Doris F. Meikle.
Precinct No. 10	JUDGE, Dawn Schwartzenberger; CLERKS, Helen Benzon, Karen Moedl.
Precinct No. 11	JUDGE, Willard Dye; CLERKS, Mary J. Olsen, Rita Phippen.
Precinct No. 12	JUDGE, Joan Bessler; CLERKS, Sharon Foster, Venna Strong.
Precinct No. 13	JUDGE, Julie Wyatt; CLERKS, Emily Scardena, Melinda Redden.
Precinct No. 14	JUDGE, Eleanor Moss; CLERKS, Adah Lempke, Patsy Cherry.
Precinct No. 15	JUDGE, Leona Benson; CLERKS, Deaune P. Davis, Clara Jenkins.
Precinct No. 16	JUDGE, Janet Larson; CLERKS, Carol Romer, Marian Williams.
Precinct No. 17	JUDGE, Betty Roberts; CLERKS, Beth Robbins, Emma Rose Grimmitt.
Precinct No. 18	JUDGE, Lennox Holyoak; CLERKS, Joyce Lathe, Mildred Stommel.
Precinct No. 19	JUDGE, Susan Anderson; CLERKS, Shawn Messer, Linda Lake.
Precinct No. 20	JUDGE, June Couch; CLERKS, Bernie Fauth, Shirley Whitbeck.
Precinct No. 21	JUDGE, Edna Denning; CLERKS, May Jones, Edward Denning.
Precinct No. 22	JUDGE, Hazel R. Toole; CLERKS, Allene Moriarty, Doris Plesner.
Precinct No. 23	JUDGE, Pauline Nielsen; CLERKS, Marla Larsen, Margo Myler.
Precinct No. 24	JUDGE, Jan Jensen; CLERKS, Brenda Prudent, Ginny Griggs.
Precinct No. 25	JUDGE, Joan Croft; CLERKS, Lori Croft, Thaylis McClaskey.
Precinct No. 26	JUDGE, Floriene Oakey; CLERKS, Marie Saunders, Carole Walker

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State law permits up to 50 cents a name for every new registration acquired by the Deputy Registrars during their house-to-house canvas. Following past precedent, we recommend that this past policy be continued for the up-coming election on November 6th.

Under Section 50-409, Idaho Code, compensation for pool workers shall be established by the City Council at the time of making appointments. As you are aware, we have adopted the County's registration procedures, therefore, we will be paying \$3.35 per hour for Judges and \$3.00 per hour for clerks.

Your appointment of the foregoing election workers to the positions as indicated is requested.

You may note that some precincts will have more workers than others, this is because of the size of the precinct.

s/ Velma Chandler
City Clerk

It was moved by Councilman Hovey, seconded by Chandler, that the election judges and workers for the twenty-six precincts be appointed and that the deputy registrars be paid 50 cents per name for new registrations and that the judges be paid \$3.35 per hour and the clerks \$3.00 per hour for election work. Roll call as follows: Ayes, 5; No, None; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls
September 23, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager of Electric Division
SUBJECT: S. J. GROVES CONTRACT - BULB TURBINE PROJECT

Attached is proposed Change Order No. 8 for the S. J. Groves General Construction Contract.

This Change Order is the net result of over-runs and field changes in the amount of \$1,175,349.47 and under-runs in the amount of \$231,932.00.

If approved, the Contract price will be changed by \$943,417.47 and will result in a new Contract amount of \$21,863,147.59.

The Electric Division and IECO recommends favorable Council consideration of this Change Order.

s/ Steve Harrison

Councilman Hovey stated that the Change Orders for S. J. Groves Construction resulted from increases and decreases in the amounts of materials needed, amount of rock, water, and project enhancements. Mayor Campbell stated that the Council is not surprised by these Change Order requests as they were anticipated and budgeted for. It was moved by

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Councilman Hovey, seconded by Wood, that the Council accept Change Order No. 8 for the S. J. Groves General Construction Contract for a new Contract amount of \$21,863,147.59. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the Electrical Engineer, came this memo:

City of Idaho Falls
September 23, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager of Electric Division
SUBJECT: SCADA CONTRACT, BULB TURBINE PROJECT

Attached is a proposed Change Order No. 1 for the Supervisory Control Equipment associated with the Bulb Turbine Project. This change will provide for local monitoring of each plant's operation on site rather than entirely remote monitoring.

Systems Control, Inc. is the supplier of the SCADA equipment and their current Contract is for \$398,480.00.

Approval of this \$6,000 change order will result in a new contract price of \$404,480.00.

The Electric Division recommends approval of this change.

s/ Steve Harrison

It was moved by Councilman Hovey, seconded by Wood, that the Council approve the \$6,000 change order for System Control, Inc. for a new contract price of \$404,480.00. Roll call as follows: Ayes, 5; No, none; carried.

From the Airport Manager came this memo:

City of Idaho Falls
September 24, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: EXTENSION TO LEASE AGREEMENT - CASCADE
AIRWAYS, INC.

Cascade Airways, Inc. has submitted a signed extension to their lease agreement.

The extension continues the existing lease for a one year period.

The extension has been reviewed and approved as to form by the Assistant City Attorney.

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The Airport Committee recommends that the Mayor and City Clerk be authorized to execute the extension agreement, subject to final review by the City Attorney.

s/ Jim Thorsen

It was moved by Councilman Wood, seconded by Deist, that the Mayor and City Clerk be authorized to execute the extension agreement for Cascade Airways, subject to final review by the City Attorney. Roll call as follows: Ayes, 5; No, none; carried.

Also, from the Airport Manager, this memo was read:

City of Idaho Falls
September 24, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: GRANT OFFER FROM THE STATE OF IDAHO

The State of Idaho, through the Division of Aeronautics and Public Transportation, has tendered a grant offer in the amount of \$7,919 for assistance in the terminal building expansion project.

The Grant Agreement has been reviewed by the City Attorney and found to be in order.

The Airport Committee recommends that the Mayor and City Clerk be authorized to execute the grant agreement accepting the offer of the State of Idaho, subject of final review by the City Attorney.

s/ Jim Thorsen

It was moved by Councilman Wood, seconded by Deist, that the Mayor and City Clerk be authorized to execute the grant agreement accepting the offer of the State of Idaho, subject to final review by the City Attorney. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Airport Manager, came this memo:

City of Idaho Falls
September 24, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: GRANT OFFER FROM FEDERAL AVIATION
ADMINISTRATION

The Federal Aviation Administration has tendered a grant offer in response to the City's application for aid from the Airport and Airways Development Program.

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The offer is in the amount of \$362,947 and will be used to acquire a new Crash-Fire-Rescue vehicle, remove obstructions to aerial navigation, expand the general aviation aircraft parking apron, install security fencing, provide an additional waterline for the terminal building fire protection system and update the Airport Master Plan.

Expenditure of these funds is anticipated in the budget.

The Grant Agreement has been reviewed by the Assistant City Attorney and found to be in order.

The Airport Committee recommends that the Mayor and City Clerk be authorized to execute the grant agreement accepting the grant, subject to final review by the City Attorney.

s/ Jim Thorsen

It was moved by Councilman Wood, seconded by Deist, that the Mayor and City Clerk be authorized to execute the grant agreement accepting the grant from FAA, subject to final review by the City Attorney. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 8:05 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor