

JUNE 4, 1981

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, June 4th, 1981, in the Council Chamber in Idaho Falls, Idaho. There were present at said Meeting: Mayor Tom Campbell; Councilmen Art Chandler, Mel Erickson, Wes Deist, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Velma Chandler, City Clerk; Arthur Smith, City Attorney; and all other available Division Directors.

Minutes of the last Regular Meeting held May 26th, 1981 were read and approved.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider a request for an extension of a variance permitting placement of two mobile homes at Riverview Hospital, 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
June 3, 1981

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR EXTENSION OF VARIANCE

Attached is a copy of a request for an extension of the variance permitting placement of two (2) mobile homes at Riverview Hospital. This request has been submitted by the Administration of Consolidated Hospitals, and they are asking that the mobile home be allowed to remain until anticipated remodeling has been completed.

Members of the hospital staff have met with this department and the Fire Chief regarding this matter. The hospital administration has agreed to provide fire supervision devices as recommended by the Fire Chief, including sprinkler systems, fire alarms, and fire doors.

This department recommends that the requested extension be granted, to permit the mobile homes to remain while remodeling is conducted to provide permanent placement of the facilities now housed in the mobile homes. We further recommend this period of time not exceed 18 months.

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

s/ Rod Gilchrist

Councilman Erickson asked if the Hospital Administrators were making plans to proceed with construction of permanent buildings. Councilman Chandler answered in the affirmative, stating that there had been some delay due to the lack of funding and Hospital Administration changes, but definite plans were being made at this time for construction of permanent buildings. Councilman Deist asked if there was any assurance that this same request would not be presented again in eighteen months. Chandler said that there was no guarantee that additional extensions would not be needed, but, in his opinion, these units

were providing space for much needed facilities and should be allowed until permanent facilities could be provided. Councilman Wood asked if the Hospital Administration planned

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to proceed with construction within this requested time extension. Chandler answered in the affirmative. Councilman Sakaguchi noted that there had been one other mobile unit at this location but it has been removed, indicating that the Administration is proceeding and making progress for permanent construction. Mayor Campbell stated that adequate fire protection measures were provided at these facilities.

There being no further questions or comment, it was moved by Councilman Chandler, seconded by Sakaguchi, that this variance be granted for a period of no longer than eighteen months. Roll call as follows: Ayes, 6; No, none; carried.

This letter was then read by the City Clerk:

City of Idaho Falls
May 11, 1981

Dear Mayor Campbell:

We the undersigned would like for the City to consider a permit for Ken Dean to install a factory built home at 357 Cleveland. This home is 24' wide by 60' long. We feel that this installation would be an improvement for this block. This home would be much better than an empty lot. We are especially concerned with the possibility of another going in, such as the one across the street at 324 Cleveland.

Your consideration will be appreciated.

Councilman Chandler asked if there was anyone present who wished to speak concerning the foregoing letter.

Mr. Terry Hopkins, 348 Garfield, appeared briefly to endorse the request from Mr. Dean, stating this placement would be an asset to the area.

Councilman Chandler stated that, in view of previous action of the Council in denying this request, he felt it advisable for Mr. Dean to submit a request for re-zoning to the Planning Commission for proper zoning. Therefore, it was moved by Councilman Chandler that this be referred to the Planning and Zoning Committee.

Mr. Kenneth Dean, the petitioner, appeared briefly to state that, in his opinion, there was no need for re-zoning the entire block to accommodate only one trailer space. Councilman Chandler stated that it should be re-zoned for mobile homes to have this placement legal.

Councilman Erickson informed Mr. Dean that he had already taken an important step toward getting his property re-zoned by obtaining the signatures of approval from his near-by neighbors.

Councilman Wood asked the City Planner that, if the variance was allowed, would it be for just the period that Mr. Dean occupied the home or would the variance allow any other person to place a trailer on the property. The City Planner answered that a variance would be for Mr. Dean only.

Councilman Sakaguchi stated that he wanted Mr. Dean to understand that the other mobile homes in the block were allowed there under the "Grandfather Clause" in the Code and that the present Councilmembers feel comfortable to leave them there but, under present Code, it would be better to have his property rezoned rather than to allow a variance for a permanent residence.

Councilman Erickson said that one thing the Council is confronted with is the fact that similar requests are made frequently and it would be setting a precedence that

would be almost impossible to adhere to if the Council granted this request. Mr. Dean agreed that he would work with the Planning and Zoning Committee to request rezoning of

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his property. The previous motion was then seconded by Councilman Sakaguchi. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk asked for Council ratification of the publishing of a legal notice calling for a public hearing held this night, to consider an extension of a variance for the Riverview Hospital. It was moved by Councilman Hovey, seconded by Chandler, that this previous action of the City Clerk be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Also, in need of Council ratification was the publishing of a legal notice calling for two public hearings on June 23rd to consider the initial zoning of Al-Sid Addition and Shamrock Park Addition, Division No. 3. It was moved by Councilman Hovey, seconded by Chandler, that the prior action of the City Clerk in publishing this notice be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of May, having been properly audited by the Fiscal Committee, were presented:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
MAT/SERV:	\$ 580,893.43	\$ 28,448.43	\$ 43,519.15	\$ 201,320.15
SALARY:	<u>585,591.04</u>	<u>32,951.49</u>	<u>16,766.80</u>	<u>75,701.64</u>
TOTAL:	\$1,166,484.47	\$ 61,399.92	\$ 60,285.95	\$ 277,021.69

	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP IMP</u>
MAT/SERV:	\$ 513,979.99	\$ 35,872.79	\$ 5,357.60	\$ 44,445.43
SALARY:	<u>126,724.19</u>	<u>41,555.81</u>	<u>5,356.80</u>	<u>.00</u>
TOTAL:	\$ 640,704.18	\$ 77,428.81	\$ 10,714.40	\$ 44,445.43

	<u>LIBRARY</u>	<u>E. IDAHO LIB</u>	<u>BRIDGE/ART ST</u>	<u>COMM DEV</u>
MAT/SERV:	\$ 5,712.67	\$ 125.20	\$ 1,290.00	\$ 1,534.80
SALARY:	<u>26,459.74</u>	<u>775.30</u>	<u>.00</u>	<u>1,128.00</u>
TOTAL:	\$ 32,172.41	\$ 900.50	\$ 1,290.00	\$ 2,662.80

CITY TOTALS

MAT/SERV:	\$1,462,499.64
SALARY:	<u>\$ 913,010.81</u>
TOTAL:	\$2,375,510.45

Councilman Hovey reviewed all major expenditures. It was moved by Councilman Hovey, seconded by Chandler, that the City Controller be authorized to pay the bills as listed on the computerized voucher. Roll call as follows: Ayes, 6; No, none; carried.

Reports from the month of May, from Division and Department Heads, were presented and, there being no questions or objections, were accepted and ordered placed on file in the office of the City Clerk.

License Applications for: ELECTRICAL CONTRACTOR, Robertson Electric; ELECTRICAL JOURNEYMAN, Randall J. Peterson, Mark Robertson, Glayde Hill; ELECTRICAL APPRENTICE, Reece W. Burke with Howard Electric, Todd Campbell with Curtis Electric; CLASS D CONTRACTOR, WARM AIR, Marcum, Inc.; ITINERANT MERCHANT,

The Sewing Basket; AUCTIONEER, LaVern Seal; PRIVATE PATROLMAN, Kenny R. Cleveland; BARTENDERS, David Clark, Sharon J. Radford, Ronald Ogawa, Linda R. Owens, were

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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, 6; No, none; carried.

A liquor catering permit application in favor of the Bonneville Lounge was presented. It was moved by Councilman Erickson, seconded by Hovey, that this permit be issued. Roll call as follows; Ayes, 6; No, none; carried.

The City Clerk presented two bartender license applications in the names of Patricia A. Woodbury and Richard R. Brown, carrying a recommendation from the Police Chief that they NOT be granted. It was moved by Councilman Erickson, seconded by Deist, that the recommendation of the Police Chief be upheld and these licenses NOT be issued. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Personnel Director was then presented:

City of Idaho Falls
June 2, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Personnel Director
SUBJECT: LEAVE OF ABSENCE FOR JOAN THIES

It is requested that the Mayor and Council authorize a Maternity Leave of Absence without pay to Joan Thies for 18 working days from June 5, 1981 through July 7, 1981. It is further requested this leave without pay not affect Ms. Thies benefits.

s/ S. Craig Lords

This memo from the Electrical Engineer was then read:

City of Idaho Falls
June 4, 1981

MEMORANDUM

TO: Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: U P & L CUSTOMER TRANSFERS

The Utah Power and Light Company - City Transfer Policy provides that the utility receiving the customer compensates the utility who loses the customer by two factors:

1. 1.67 times the last 12 months revenues for that account.
2. Depreciated value of any facilities purchased with the customer being transferred.

The Electric Division's consideration of customer participation in the amount of 50% of transfer costs associated with the account costs as in (1) above.

s/ Steve Harrison

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Councilman Hovey explained that, due to the large number of Utah Power and Light customer transfers, the City can no longer bear the total expenses involved. Hovey said that electric power is becoming more difficult to provide and this fee charge may discourage switching from one utility to another. Electrical Engineer Harrison estimated that a customer could recoup the transfer costs within two years because of electricity bill savings. It was noted that only those Utah Power & Light customers who live within the City limits are eligible for transfer, and, if the City annexes property against the wishes of its owner, the owner would not be required to pay the transfer fees. It was moved by Councilman Hovey, seconded by Wood, that the City Attorney be authorized to draft an ordinance to provide for customer participation in the cost of an electric service transfer. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Electrical Engineer was also read:

City of Idaho Falls
June 4, 1981

MEMORANDUM

TO: Mayor and Council
FROM: Steve Harrison, Manager
SUBJECT: ELECTRICAL RETAIL RATE INCREASE

The Bonneville Power Administration has proposed an increase in wholesale electrical rates of at least 55% to the City of Idaho Falls effective July 1, 1981.

This increase together with increased capital and O & M costs will require about 30% more electrical revenues.

Additional purchased power costs account for approximately 25% of this increase.

The Electric Division recommends that electrical rates for all classes of customers be adjusted to reflect an average increase of 30% for all consumption billed after June 30, 1981.

s/ Steve Harrison

Councilman Hovey stated that BPA had been negotiating for some time and it had now been determined that there would be an increase of at least 55% for power purchased for BPA. He said the City would need to increase customer fees by an average of 30% to recover these costs. It was moved by Councilman Hovey, seconded by Wood, that the City Attorney be directed to revise the ordinance that would increase customer fees by an average of 30%, said ordinance to be effective after June 30, 1981. Roll call as follows: Ayes, 6; No, none; carried.

From the Airport Manager came this memo:

City of Idaho Falls
June 4, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Manager - General Services Director

SUBJECT: RENEWAL OF FEDERAL AVIATION ADMINISTRATION
LEASE

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Attached is a standard U.S. Government Lease for the Federal Aviation Administration's remote transmitter and receiver site for the Air Traffic Control Tower. This ground has been leased to the F.A.A. for this purpose since 1961. The new lease revises the term from July 1, 1981, to October 1, 1981, to reflect the change in the Federal Government's fiscal year and provides for annual renewal thereafter, not to extend beyond September 30, 1996.

The lease has been reviewed by the Assistant City Attorney, who has recommended that a more detailed description of the use of the property be included. This is acceptable to F.A.A. and has been incorporated in the lease.

The Airport Committee recommends that the Mayor and City Clerk be authorized to sign the lease with the U. S. Government (Lease No. DTFA11-00114).

s/ Jim Thorsen

It was moved by Councilman Wood, seconded by Sakaguchi, that the Mayor and City Clerk be authorized to sign the lease between the City and FAA covering the remote transmitter and receiver site for the air traffic control tower, subject to final approval of the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

Also from the Airport Manager, came this memo:

City of Idaho Falls

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Manager
SUBJECT: CONCESSION AGREEMENT

Attached is a concession agreement with Airport Concessions International, Inc., to permit the concessionaire to install coin operated television chairs in the Airport Terminal Building, for which the City receives a commission. The agreement is for one year and is cancelable on 30 days notice.

The agreement has been reviewed as to form by the Assistant City Attorney.

The Airport Committee recommends that the Mayor and City Clerk be authorized to sign this agreement.

s/ Jim Thorsen

It was moved by Councilman Wood, seconded by Sakaguchi, that the Mayor and City Clerk be authorized to sign the agreement with Airport Concessions International, Inc., subject to final approval of the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

Next from the Airport Manager, this memo was read:

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City of Idaho Falls

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Manager
SUBJECT: CONCESSION AGREEMENT

Attached is a concession agreement with Comp-U-Check of Southern Idaho. This agreement permits the concessionaire to install a coin-operated Blood Pressure Testing Machine in the Terminal Building Lobby, for which the City receives a commission. The agreement is for six months, with automatic renewal, and cancelable upon 10 days notice.

The agreement has been reviewed as to form by the Assistant City Attorney.

The Airport Committee recommends that the Mayor and City Clerk be authorized to sign this agreement.

s/ Jim Thorsen

It was moved by Councilman Wood, seconded by Sakaguchi, that the Mayor and City Clerk be authorized to sign the concession agreement with Comp-U-Check for a single coin operated device for blood pressure testing in the terminal building, subject to final approval by the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney presented the following captioned ordinance providing for a charge of \$10.00 per front foot property to be served from the City's water system:

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 4-5-14, CITY CODE OF IDAHO FALLS, IDAHO, BEING A PORTION OF THE ORDINANCE REGULATING THE CITY WATER SYSTEM; PROVIDING THAT A CHARGE OF \$10.00 PER FRONT FOOT OF PROPERTY TO BE SERVED SHALL BE IMPOSED FOR OBTAINING A PERMIT TO CONNECT TO ANY WATER MAIN CONSTRUCTED SUBSTANTIALLY AT CITY EXPENSE; 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, 6; 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, 6; No, none; carried.

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An ordinance providing for fees and changes for sanitary sewer connection permits was read in caption:

ORDINANCE NO.

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 8-7-13, CITY CODE OF IDAHO FALLS, IDAHO; ESTABLISHING FEES AND CHARGES FOR THE INSTALLATION OR ALTERATION OF SANITARY SEWER WITHIN SAID CITY; SETTING FORTH A SCHEDULE OF FEES THEREFOR; MAKING IT UNLAWFUL TO INSTALL OR ALTER ANY SANITARY SEWER WITHIN SAID CITY OR TO TAP ONTO OR CONNECT TO ANY SANITARY SEWER LINE OF SAID CITY WITHOUT FIRST OBTAINING A PERMIT THEREFOR; ESTABLISHING A SEWER MAIN CHARGE AND FIXING THE AMOUNT THEREOF; ESTABLISHING A SANITARY SEWER CAPITAL IMPROVEMENT FUND AND PROVIDING THAT ALL FEES AND CHARGES DERIVED FROM THE ISSUANCE OF PERMITS FOR THE INSTALLATION OR ALTERATION OF SANITARY SEWERS OR FOR CONNECTING TO A SANITARY SEWER, SHALL BE PLACED IN SAID FUND; SETTING FORTH THE PURPOSES FOR WHICH MONEYS IN SAID FUND MAY BE EXPENDED; FIXING PENALTIES FOR VIOLATION OF THE ORDINANCE; 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, 6; 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, 6; No, none; carried.

ORDINANCE NO. 1680

AN ORDINANCE VACATING PORTIONS OF NEZ PERCE AVENUE WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING SAID PORTION OF SUCH STREET; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF SAID CITY A QUITCLAIM DEED CONVEYING SAID VACATED STREET TO THE OWNERS OF THE ADJACENT

LAND, AND NAMING THEM; PROVIDING WHEN THE
ORDINANCE SHALL BECOME EFFECTIVE.

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The foregoing ordinance was presented in title. It was moved by Councilman Chandler, seconded by Sakaguchi, 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, 6; 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, 6; No, none; carried.

ORDINANCE NO. 1681

AN ORDINANCE REPEALING AND RE-ENACTING SECTIONS 5-11-4, 5-11-5, 5-11-9, 5-14-6, AND 5-14-8 OF THE CITY CODE OF IDAHO FALLS, IDAHO RELATING TO THE RETAIL SALE OF BEER, WINE, AND WINE BY THE DRINK; PROVIDING FOR APPLICATIONS FOR LICENSES FOR SALE OF BEER AT RETAIL AND SETTING FORTH CONTENTS THEREOF; ESTABLISHING LICENSE FEES FOR RETAIL SALE OF BEER; REGULATING CONDUCT OF RETAIL SALE OF BEER AND PROVIDING FOR TRANSFER OF RETAIL BEER LICENSES; ESTABLISHING FEES FOR OBTAINING LICENSES FOR RETAIL SALE OF WINE AND WINE BY THE DRINK AND PROVIDING FOR EXPIRATION DATE OF SUCH LICENSES; PROVIDING FOR TRANSFER OF WINE LICENSE; PROVIDING WHEN ORDINANCE SHALL BECOME EFFECTIVE.

It was moved by Councilman Hovey, seconded by Wood, that this ordinance be passed on its third and final reading. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1682

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 5-12-4, 5-12-5, 5-12-6, AND 5-12-10 OF THE CITY CODE OF IDAHO FALLS, IDAHO, RELATING TO THE SALE OF LIQUOR BY THE DRINK; REQUIRING APPLICATIONS FOR LICENSES TO SELL LIQUOR BY THE DRINK AT RETAIL AND SETTING FORTH THE CONTENTS THEREOF; PROVIDING FOR AN INVESTIGATION OF THE QUALIFICATIONS OF EACH APPLICANT BY THE CITY COUNCIL; SETTING FORTH THE FORM OF SUCH LICENSE AND PROVIDING FOR THE EXPIRATION AND TRANSFER THEREOF; REQUIRING ANY PERSON ACTING AS A BARTENDER OR COCKTAIL WAITER IN ANY

PREMISES LICENSES TO SELL LIQUOR BY THE
DRINK TO OBTAIN A PERMIT THEREFOR AND

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SETTING FORTH QUALIFICATIONS FOR THE
ISSUANCE OF SUCH PERMIT; SETTING FORTH THE
EXPIRATION DATE OF SUCH PERMIT AND THE
CONDITIONS UNDER WHICH SUCH PERMIT MAY
BE REVOKED; PROVIDING WHEN ORDINANCE
SHALL BECOME EFFECTIVE.

It was moved by Councilman Hovey, seconded by Wood, that this ordinance be passed on its third and final reading. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 8:40 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor