

MAY 7, 1981

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, May 7th, 1981, in the Council Chamber in Idaho Falls, Idaho. Prior to calling the meeting to order, the Mayor called upon a scout, Doug Marsh, to come forward and lead all those present in the pledging of allegiance to the Flag. The Mayor then called the meeting to order, and upon roll call, the following were found to be present: Mayor Tom Campbell; Councilmen Mel Erickson, Wes Deist, Paul Hovey, and Sam Sakaguchi. Absent: Councilmen Ralph Wood, and Art Chandler. Also present: Velma Chandler, City Clerk; Arthur Smith, City Attorney and all other available Division Directors.

Minutes of the last Regular Meeting held April 23 and a Special Meeting held April 27, 1981 were read and approved.

The Mayor announced that this was the time and the place to conduct a public hearing, recessed from the last Regular Council Meeting, to consider the re-zoning of an unplatted parcel of land located on the north side of First Street, approximately six hundred feet west of Hitt Road, and called upon Councilman Sakaguchi to conduct the hearing. At the request of Councilman Sakaguchi, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
April 8, 1981

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR REZONING - PROPERTY ON NORTH SIDE OF FIRST STREET

Attached is a request for a rezoning from R-1 to R-2 of an un-platted parcel of ground located on the north side of First Street, approximately 600 feet west of Hitt Road. This parcel is approximately 150 feet deep and has a frontage on First Street of approximately 120 feet. The petitioner is requesting the zone change in order to facilitate the construction of a pre-school/kindergarten & daycare school.

This matter was recently the subject of a public hearing conducted by the Planning Commission. At that meeting, it was pointed out that the request was in accordance with the Comprehensive Plan, and as this property was adjacent to existing R-3A zoning, it would make a logical zoning pattern.

It was also noted the property immediately adjacent to the rear of this parcel is currently developed with single-family dwellings and this proposal could be considered an encroachment on an existing residential area. It was further pointed out that the intended use was the highest use permitted in the R-2 zone and concern was expressed in locating a high traffic generator in close proximity to the intersection of two major streets.

After much discussion, the Planning Commission recommended by a five to four (5 to 4) vote to deny the request. This Department concurs with their recommendation and this matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

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Councilman Sakaguchi explained the procedure for the hearing and then asked the City Planner to locate the area on a map on the wall and explain the purpose of the request. Sakaguchi then opened the hearing and invited anyone who wished to speak in favor of the request to be heard at this time.

Mr. Don Beckman, the petitioner appeared to say that he would like to make an amendment to his request. He said that he had just recently purchased a day care center so he would not be building that type of structure, but would still like to have the R-2 zoning to allow for construction of duplexes on the subject property. Attorney Smith asked Mr. Beckman if he was the owner of the property. Beckman answered that he had an option to purchase the land. At the request of Councilman Sakaguchi, this petition with approximately seventeen signatures was read:

PURPOSE OF REQUEST: Construction and operation of pre-school and kindergarten with day care.

The undersigned petitioners, being all of the property owners adjoining and within 300 feet of the real property herein described, do hereby give their consent to the request of the said purpose herein described, and so hereby petition the City of Idaho Falls, a municipal corporation, to grant the request.

There being no one else who wished to speak in favor of the request, Councilman Sakaguchi invited those present who wished to speak in opposition of the request to be heard at this time. Dr. Roger Brunt, owner of property at 2340 Virlow Street and along First Street appeared briefly to question the validity of the signatures on the petition. He said that he knew the adjacent property owners were against the R-2 zoning and would all prefer R-1 zoning and single family dwellings in the area to protect their property's value. He contended that R-2 zoning and duplexes would create traffic in the area.

There was no one else who appeared to protest this re-zoning request. This letter of opposition was read and ordered made a matter of record:

April 6, 1981

Mayor Campbell and Members of the City Council:

This letter is to inform you that we are very much opposed to the rezoning from R-1 to R-2 of the property along the north side of East First Street near the East View Addition to the City of Idaho Falls. We strongly oppose the rezoning for the following reasons:

1. The City Planning Commission carefully considered the request at its March 10th, 1981 meeting and recommended denial of the request.
2. The petitioner proposes to have up to ninety children in the facility with only two to three adult supervisors. This indicates lack of careful planning and increased the possibility of failure. The petitioner obviously has no intention of meeting child-care licensing standard as established by the Idaho Department of Health and Welfare.
3. Ninety children dropped off in the morning and picked up in the early evening would cause considerable traffic congestion and hazards.

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4. The facility would be operated from early in the morning until the evening six days a week, twelve months a year. The related noise and congestion of ninety children for that many hours would be most annoying.

5. Many of the adjacent property owners expressed their concern and opposition by not signing the rezoning petition.

6. There are numerous other pieces of property for sale along First Street that would allow day-care center use without making a zoning change, including the land just east of subject property.

7. In purchasing our home one of the important factors was that all adjacent property was zoned R-1. Changing the zoning to accommodate such a facility would have a detrimental effect on property values. We hope that as property owners we have a right to rely on the benefits of planning and zoning to protect our investment in our home and neighborhood.

We are very concerned about this change and will be at the public hearing to express our opposition.

s/David B. Archibald,
2358 Virlow
Idaho Falls, Idaho 83401

Councilman Sakaguchi asked if any Councilmen had questions or comments concerning this request.

Councilman Erickson said that, with the proposed amendment for the use of the property, he felt this was not the initial request and asked the Attorney if it should not be returned back to the Planning Commission.

Attorney Smith said that, in his opinion, the Planning Commission had made their recommendation based upon the traffic flow generated for a kindergarten and the Council would be in dangerous territory to either approve or deny the request, and asked the City Planner to comment on this. Planner Gilchrist stated that the discussion of the Planning Commission was on zoning and not the use, and they had very thoroughly reviewed this zoning request before making their recommendation.

Mayor Campbell asked what could be constructed in the area if the zoning was changed to R-2. The Planner said that a duplex, four-plex, day care center or even a single family dwelling could be constructed in an R-2 zone. He explained the zoning of the adjacent property. Councilman Erickson stated that he was concerned that, if this request was approved, it might be construed as spot zoning. Gilchrist said this possibility had been discussed by the Planning Commission during their hearing.

Councilman Hovey asked the Attorney what was the significance or the value of a petition signed by the nearby residents.

Attorney Smith answered that the Land Use Planning Act provided that residents within a designated area had the right to object to a zone change. Hovey said that his only concern was that the petition signers had addressed the fact that a day care center was to be constructed on the property and, with the amendment to what is to be constructed, questioned if this was still a valid petition. Attorney Smith said that he had some misgivings in his mind that the petitions had been signed with one use in mind and then the signers not be given a chance to consider the change in the request.

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Councilman Sakaguchi stated that, in view of the legal matters discussed this night, he would move that this matter be referred back to the Planning Commission. Motion was seconded by Councilman Deist. Roll call as follows: Ayes, 4; 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 rezoning of property west of Remo's on East Anderson Street and asked Councilman Sakaguchi to conduct the hearing. Sakaguchi asked the City Clerk to read this memo from the City Planner:

City of Idaho Falls
May 6, 1981

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: REZONING - METES AND BOUNDS LEGAL DESCRIPTION
WEST OF REMO'S ON EAST ANDERSON STREET

Attached is a copy of a petition to rezone the above described property from R-1 to I & M-2. This parcel of ground is approximately one quarter acre in size and is located between the railroad right-of-way and East Anderson Street.

The petition was submitted by James Grayson of Remo's Restaurant and the owner of the subject property. The majority of this parcel was inadvertently developed as a parking lot for the restaurant before it was discovered it was zoned R-1.

This matter was recently considered by the Planning Commission and, at that time, they unanimously recommended approval of the request. This Department concurs with that recommendation and this matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Councilman Sakaguchi asked the City Planner to locate the subject property on a map on the wall. Sakaguchi then declared the hearing open and asked for comments in favor or against the rezoning request. There being no comments or questions, it was moved by Councilman Sakaguchi, seconded by Deist, that the Council concur with the recommendation of the Planning Commission and rezone this property to I & M-2, with the exception that any access to the property will come from existing curb cuts because of the proximity to the railroad tracks. Roll call as follows: Ayes, 4; No, none; carried.

The Mayor declared open a public hearing to consider the rezoning of property located at 804 and 808 Cleveland Street, and asked Councilman Sakaguchi to conduct the hearing. At the request of Sakaguchi, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
May 6, 1981

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: REZONING - METES AND BOUNDS LEGAL DESCRIPTION,
KNOWN AS 804 AND 808 CLEVELAND STREET
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Attached is a copy of a petition to rezone the above described property from R-1 to R-3. The petitioners, who are the owners of these parcels, are requesting the rezoning to permit the construction of apartment units on the property.

The City Planning Commission considered this matter at their regular meeting of April 14 and, at that time, some objection to the rezone request was heard. After some discussion, the Planning Commission, by a vote of six to one, recommended that the request be granted.

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

s/ Rod Gilchrist

The City Planner located the area on a map and explained the proposal. Councilman Sakaguchi asked for comments from those in favor of this request. No one appeared to comment. Sakaguchi then invited those opposed to the request to be heard at this time.

Mr. Lyle Hanson, 780 Cleveland Street, appeared briefly to state that, in his opinion, the petitioner was requesting R-3 instead of R-2 zoning to allow construction closer to the street. He felt that it would be unsafe for the school students to allow construction so close to the street. Councilman Erickson asked the City Planner to explain the difference in setback requirements in R-2 and R-3 zoning. Gilchrist stated that the setback in R-3 zone is twenty feet and in R-2 it is thirty feet, and that all the property in the immediate area is zoned for a twenty foot setback. Councilman Hovey asked the City Planner to respond to Mr. Hanson's concern that there would be a traffic hazard in and out of the school. Gilchrist stated that the Code requires a thirty foot triangle on a corner for clear view of the intersection regardless of the setback requirements of the zone. At the request of the Mayor, the City Planner again explained the zoning of all the nearby property and the uses allowed in R-2 and R-3 zones. Councilman Sakaguchi said that, inasmuch as the property to the east and south of this property and within the same block is zoned R-3 and the Planning Commission voted six to one to grant the request, he would move that the property known as 804 and 808 Cleveland Street be rezoned from R-1 to R-3. Motion was seconded by Councilman Deist. Roll call as follows: Ayes, 4; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider a request for a variance to allow placement of a mobile home at 357 Cleveland Street, and called upon Councilman Sakaguchi to conduct the hearing. At the request of Councilman Sakaguchi, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
May 6, 1981

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist, Planning and Building Director
SUBJECT: REQUEST FOR A VARIANCE TO ALLOW PLACEMENT OF A
MOBILE HOME AT 357 CLEVELAND STREET

The attached petition, submitted by Kenneth Dean, is requesting the placement of a 24-foot by 60-foot double-wide mobile home on Lots 38 through 40, Block 20, Capitol Hill Addition. The mobile home is to be used as a residence for the petitioner.

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This request is made necessary inasmuch as the Zoning Ordinance does not permit placement of a mobile home within the City except in areas zoned for mobile home parks. This matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Councilman Sakaguchi asked the City Planner to locate the area and explain the request. Sakaguchi then invited comments from any one who wished to speak in favor of this request to come forward and be heard at this time.

Mr. Kenneth Dean, the petitioner, appeared briefly stating that there were other mobile homes in this area and he felt this placement would be an asset to the area. There was no one else who wished to speak either for or against this proposal.

Councilman Sakaguchi stated that, representing the Council Committee and the Planning Department, it is their feeling that the present mobile homes are there because of a "grandfather clause" in the Code and the City should not allow permanent placement of mobile homes when the City now has an Ordinance against allowing permanent placement of mobile homes except in so designated mobile home courts. Therefore, it was moved by Councilman Sakaguchi, seconded by Deist, that this request be denied. Roll call as follows: Ayes, 4; No, none; carried. Attorney Smith stated that, in his opinion, variances should not be allowed in great numbers. He said zoning change should be considered if there is a need for placement of mobile homes in areas not designated for such use.

Mr. Jerry Jaynes, 1568 Lola Street, appeared to criticize the City for authorizing nearly half a million dollars for a detailed engineering study of a fourth bulb turbine site, without adequately informing the public. He said that he had previously requested the Council to involve the public on matters of this kind but, in his opinion, they had failed to do so. He questioned whether City electric rates would increase as fast without a fourth hydroelectric plant. Jayne said that he had serious reservations about building another dam on the river. He concluded by saying that the public has the right to be told and kept informed on projects of this nature.

Councilman Deist asked Electrical Engineer Harrison if he could meet with Mr. Jayne and answer any questions he might have. Harrison said that he had worked with Mr. Jayne in the past, but would be glad to visit with him again at any time.

The City Clerk asked for Council ratification of the publishing of a legal notice calling for a public hearing, held this night, to consider a request for a variance to permit the placement of a mobile home in a GC-1 zone, on property at 357 Cleveland Street. It was moved by Councilman Hovey, seconded by Sakaguchi, that this action of the City Clerk be duly ratified. Roll call as follows: Ayes, 4; No, none; carried.

Also in need of ratification was the publishing of a legal notice calling for a public hearing on May 26th to consider the initial zoning of property to be known as Sand Creek Estates. It was moved by Councilman Hovey, seconded by Sakaguchi, that this action, also be ratified. Roll call as follows; Ayes, 4; No, none; carried.

The City Clerk reported that she had forwarded a damage claim in the names of Robert and Eloyce Talamantez to the City's Liability Carrier on April 29th, without formal Council approval:

NOTICE OF CLAIM

TO: THE CITY OF IDAHO FALLS, A POLITICAL SUBDIVISION OF THE STATE OF IDAHO:

The undersigned hereby makes and presents their claim against the City of Idaho Falls, through you as its governing body, pursuant to and in accordance with Idaho Code 6-906, and represents and shows:

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1. The full names and addresses of the claimants are Robert and Eloyce Talamantez, 3180 Dal, Idaho Falls, Idaho 83401.
2. All communications and notices shall be given to the above described claimants, at the above described address, or to Ronald L. Swafford, Attorney for the claimants, at 525 Ninth Street, Idaho Falls, Idaho.
3. This claim arises from the automobile collision occurring January 4, 1981, near the intersection of Rollandet and Sunnyside, at approximately 10:00 a.m.
4. The collision referred to above caused injury and death to the claimant's daughter, Cindy Talamantez, age 19, within a few hours after said collision.
5. The injury to the Claimants, by and through the death of their daughter, was proximately caused by the negligence of Officer Baldwin, Officer C. Inglet, Sergeant J. Coddington and Sergeant K. Simmons, all of whom were at that time, and presently, officers, employees, and agents of the City of Idaho Falls, acting within the course and scope of their office and employment. The negligence of these officers consisted of the following specific acts or omissions:
 - a. Failure to properly investigate the collision;
 - b. Failure to promptly seek and obtain medical assistance;
 - c. Failure to promptly notify the parents of the deceased;
 - d. Failure to make a prompt assessment of the extent of, and the number of persons involved and injured in the collision;
 - e. Failure to take prompt assessment of the extent of, and the number of injuries.
6. The names of all persons involved in said occurrence are as follows:
 - a. All officers described above;
 - b. Cindy Talamantez;
 - c. Jose Flores;
 - d. Gerald B. Cheney
7. The claimants, being Robert and Eloyce Talamantez, verify by their signatures hereon, that their actual residence at the time of presenting and filing this claim, and for a period of six months, immediately prior to the time the claim arose, is and has been 3180 Dal, Idaho Falls, Idaho 83401.
8. As of the date of this claim, the claimants have suffered the loss of the comfort and companionship of their daughter, including the loss of her society, friendship, love and affection, all to their damage in the sum of two hundred fifty thousand dollars (\$250,000.00).

Said sum represents compensation for the losses described above, in addition to the medical, physician and surgical costs, and general damages for pain and suffering

9. By reasons of the foregoing, the undersigned claimants claim two hundred fifty thousand dollars (\$250,000.00) as damages.

Dates this 29th day of April, 1981.

s/ Robert Talamantez
s/ Eloyce Talamantez

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It was moved by Councilman Hovey, seconded by Sakaguchi, that this action of the City Clerk be duly ratified. Roll call as follows: Ayes, 4; No, none; carried.

Bills for the month of April, having been properly reviewed by the Fiscal Committee, were presented:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
MAT/SERV	\$ 517,351.77	\$ 21,013.08	\$ 44,339.63	\$ 265,710.98
SALARY	<u>373,315.33</u>	<u>21,425.67</u>	<u>11,101.72</u>	<u>48,949.12</u>
TOTALS	\$ 890,667.10	\$ 42,438.75	\$ 55,441.35	\$ 314,660.10
	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>MUN CAP</u>
MAT/SERV	\$ 1,275,161.15	\$ 32,209.95	\$ 4,030.93	\$ 13,367.05
SALARY	<u>78,553.25</u>	<u>25,231.85</u>	<u>5,532.60</u>	<u>.00</u>
TOTALS	\$ 1,353,714.40	\$ 57,441.80	\$ 9,563.53	\$ 13,367.05
	<u>LIBRARY FD</u>	<u>E.I./LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>REV SHAR</u>
MAT/SERV	\$ 4,693.22	\$ 245.24	\$ 10,820.47	\$ 16,000.00
SALARY	<u>18,427.18</u>	<u>811.50</u>	<u>.00</u>	<u>.00</u>
TOTAL	\$ 23,597.30	\$ 1,056.74	\$ 10,820.47	\$ 16,150.00
	<u>COMM DEV</u>	<u>CITY TOTALS</u>		
MAT/SERV	\$ 843.48	\$ 2,205,786.95		
SALARY	<u>752.00</u>	<u>584,100.22</u>		
TOTAL	\$ 1,595.48	\$ 2,789,887.17		

Councilman Hovey reviewed all major expenditures. It was moved by Councilman Hovey, seconded by Erickson, that the City Controller be authorized to pay all bills as listed on the voucher. Roll call s follows: Ayes, 4; No, none; carried.

Monthly reports from Division and Department Heads were presented 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: CATERING, Sub-Station #1; RESTAURANT, Bourbon Street; ELECTRICAL CONTRACTOR, Twins Electric, F & L Electric; ELECTRICAL JOURNEYMAN, William T. Eason, Richard Judy; ELECTRICAL APPRENTICE, Raymond Judy with Twins Electric; MASTER PLUMBER, Wally's Plumbing & Heating, Wilding Plumbing; JOURNEYMAN PLUMBER, Donald R. Wilding; ITINERANT MERCHANT, MDG Importing & Distributing; Garthy Oakey; JUNK DEALER,

Stewarts Wool, Fur and Metal, Charles Stewart; NON-COMMERCIAL KENNEL, Ambronetta Walters; SECOND HAND STORE, Earl Leonard Pierce; FIREWORKS, Cleo Geddes at 1625 Broadway; PRIVATE PATROLMAN, Terrell Toone; BARTENDERS, Shirley Coddling, Marilyn Griggs, Linda Herman, William Keller, Mike Kyle, Caroline Lumby, Jane Pennazoli, Ann Peterson; BEER (canned, bottled and draught to be consumed on the premises), Edelweiss Cafe and Deli; RETAIL WINE, Edelweiss Cafe and Deli; WINE BY THE DRINK, Edelweiss Cafe and Deli, 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, 4; No, none; carried.

From the Personnel Director, came this memo:

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City of Idaho Falls
May 6, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: S. Craig Lords, Personnel Director
SUBJECT: RATIFICATION OF I.B.E.W. SETTLEMENT

On April 27, 1981, the Mayor and Council instructed the Personnel Director and Electric Light Manager to make a wage and benefit offer to I.B.E.W. Local No. 57 and enter into a new working agreement based on that offer.

It is requested that this action be formally approved and ratified by the Mayor and Council for both union and non-union Electric Light Division employees, excepting the Electric Light Manager and Secretary.

s/ Craig Lords

Councilman Hovey commended Personnel Director Lord and Electric Engineer Harrison for time and effort expended in reaching this settlement. It was moved by Councilman Hovey, seconded by Erickson, that the Contract with I.B.E.W. be approved. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the Parks and Recreation Director was then read:

City of Idaho Falls
May 7, 1981

MEMORANDUM

TO: Mayor and City Council
FROM: Ernest Craner, Director, Parks and Recreation
SUBJECT: TRANSFER OF CEMETERY LOTS

Mrs. M. D. Ogden purchased four cemetery spaces: Lot 20, Block 22, West Park of Rose Hill Cemetery. At the time of purchase, Jim Staggie, Cemetery Superintendent, promised to exchange the four spaces in Lot 21, Block 24, West Part of Rose Hill.

At the time of purchase, the four spaces in Lot 21, Block 24, was a road. Since that time, the road has been taken out and seeded to grass.

It is the recommendation of the Council Committee to grant this exchange to comply with Mr. Staggie's Agreement.

s/ Ernest Craner

It was moved by Councilman Deist, seconded by Erickson, that the exchange of cemetery property be authorized as indicated. Roll call as follows: Ayes, 4; No, none; carried.

From the General Services Director came this memo:

City of Idaho Falls
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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, General Services Director
SUBJECT: GEORGE HARTWELL LEASE - CINDER BUTTE ROAD
PROPERTY

Attached are copies of a Lease Agreement between the City of Idaho Falls and Mr. George Hartwell for City-owned property located on the Cinder Butte Road. The property was formerly used by the City as a landfill area and will be used by Mr. Hartwell for livestock grazing.

The Agreement has been prepared by the City Attorney and signed by Mr. Hartwell. The General Services Division recommends that the City Council approve this Agreement and authorize the Mayor and City Clerk to sign.

s/ Chad Stanger

Councilman Erickson explained that this Lease had been reviewed by the City Attorney and the General Services Director and it was found that the amount of money charged was in line with amounts charged for surrounding property. It was moved by Councilman Erickson, seconded by Deist, that the City Council approve the Lease Agreement between the City of Idaho Falls and George Hartwell for City-owned property located on Cinder Butte Road and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, none; carried.

Next, from the General Services Director, this memo was read:

City of Idaho Falls
May 6, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger, General Services Director
SUBJECT: FIRST LUTHERAN CHURCH PARKING LOT LEASE

Attached are copies of a Lease Agreement between the City of Idaho Falls and the First Lutheran Church of Idaho Falls for a City-owned lot located across the street from the First Lutheran Church on the corner of Birch and Water. The lot is presently vacant and was purchased by the City for right-of-way on a proposed street extension.

The First Lutheran Church would use the property as a parking lot, maintaining and making improvements to the property in return for its use.

The Agreement has been prepared by the City Attorney and approved by the City's Public Works Division. It is the recommendation of the General Services Division that the City Council approve this agreement and authorize the Mayor and City Clerk to sign.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Deist, that the City Council approve the lease agreement between the City of Idaho Falls and the First Lutheran Church and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, none; carried.

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From the Police Chief came this memo:

City of Idaho Falls
May 6, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Emil Moore (by Chief of Police)
SUBJECT: REQUEST FOR ESTABLISHMENT OF 5 MINUTE PARKING ZONE

The first parking stall on the north side of A Street to the west of Shoup Avenue is between the two driveways of the First Security Bank and immediately in front of their Handibank. They have requested it be a 5 minute parking zone for convenience of their customers. This was presented to Mr. Norman Top, Chairman of the City Parking Committee and received his accord.

s/ R. D. Pollock

It was moved by Councilman Erickson, seconded by Deist, that the request for a five minute parking zone at the downtown First Security Bank be approved as recommended. Roll call as follows: Ayes, 4; No, none; carried.

Also, from the Police Chief came this memo with three traffic recommendations:

City of Idaho Falls
May 6, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Pollock
SUBJECT: RECOMMENDED LOADING - UNLOADING ZONES

It is recommended that loading-unloading zones be established at the following:

1. Two spaces on the west side of Placer Avenue immediately north of Walnut Street. (This is due to heavy parking and restriction in the area of the YMCA and will be of particular benefit to the home for handicapped girls at 101 N. Placer).
2. One space on the east side of Ridge Avenue immediately south of Ash Street. (This is for Harbor House for different supplies, also for different agencies bringing young people to the Home).
3. One space in front of 132 First Street (Valley Upholstery) (The curb is presently painted yellow but has no NO PARKING signs and there is no reason for full restricted parking. They do considerable loading and unloading of furniture and have to carry a rather long distance).

Recommendation #1, asking that two spaces on the west side of Placer Avenue, immediately north of Walnut Street, be designated a loading-unloading zone, was considered. It was moved by Councilman Erickson, seconded by Deist, that authorization be given to designate this area as requested. Roll call as follows: Ayes, 4; No, none; carried.

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Recommendation #2 covering a loading and unloading zone for Harbor House was reviewed. It was moved by Councilman Erickson, seconded by Deist, that one space on the east side of Ridge Avenue, immediately south of Ash Street be established as a loading-unloading zone. Roll call as follows: Ayes, 4; No, none; carried.

Recommendation #3 requesting that one space in front of Valley Upholstery at 132 First Street be designated as loading-unloading zone, was considered. It was moved by Councilman Erickson, seconded by Deist, that this request, also, be approved. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the Golf Advisory Board was then presented:

City of Idaho Falls
April 9, 1981

MEMORANDUM

TO: Honorable Mayor and City Council
 FROM: Golf Advisory Board
 SUBJECT: OPERATION MANUAL & MEMBERS OF VOTING BOARD

It is the recommendation of the Golf Advisory Board that the City Council accept the Operational Manual for Pinecrest and Sandcreek Municipal Golf Courses.

The Golf Advisory Board also recommends increasing the voting board to include:

1. Women's representative for Sand Creek Golf Course.
2. President of Senior's Association.
3. A Junior Representative.
4. Representative from Idaho Falls Working Ladies Golf Association.

s/ Charles A. Deming

Councilman Erickson explained that this manual had been prepared by Chuck Deming and it outlines Golf Course Policies and play rules, and covers the activities and functions of the Ladies' and Men's Golf Associations. He said that it does not interfere with the City Personnel Manual. Erickson said that the Golf Advisory Board has reviewed this manual and were recommending that the Council approve it. It was moved by Councilman Erickson, seconded by Deist, that the City Council accept the operational manual for Pinecrest and Sand Creek Municipal Golf Courses. Roll call as follows: Ayes, 4; No, none; carried.

Erickson stated that the Golf Advisory Board also recommended increasing the voting board to include: A Women's Representative for Sand Creek Golf course; A President of Seniors Association; A Junior Representative and Representative from Idaho Falls Working Ladies Golf Association. It was moved by Councilman Erickson, seconded by Deist, that the City Attorney be authorized to prepare an Ordinance to include the proposals as previously mentioned, and submit said ordinance to the Council for consideration at the May 26th meeting. Roll call as follows: Ayes, 4; No, none; carried.

The City Attorney then presented Ordinance #1678, caption of which is as follows:

MAY 7, 1981

ORDINANCE NO. 1678

AN ORDINANCE VACATING A UTILITY EASEMENT WITHIN THE CITY OF IDAHO FALLS; PARTICULARLY DESCRIBING SAID EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF SAID CITY A QUIT CLAIM DEED CONVEYING SAID VACATED EASEMENT TO THE OWNERS OF THE ADJACENT LAND, AND NAMING HIM; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Sakaguchi, seconded by Erickson, 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, 4; 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, 4; No, none; carried.

City Attorney Smith then presented an ordinance providing for the transfer of beer and wine licenses:

ORDINANCE NO.

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 Erickson, that this Ordinance be passed on its first reading only to allow for input from interested citizens from final passage. Roll call as follows: Ayes, 4; No, none; carried.

The following captioned ordinance, providing for transfer of Liquor by the Drink licenses and increasing bartenders license fees, was presented:

ORDINANCE NO.

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
MAY 7, 1981

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 THEREFORE AND 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 Erickson, that this ordinance be passed on its first reading only. Roll call as follows: Ayes, 4; No, none; carried.

Mayor Campbell noted that the Regular Council Meeting scheduled for May 21st will be postponed until May 26th, because there could not be a quorum present and also the Regular Meeting scheduled for June 18th will be changed to June 23rd.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 9:10 P.M., carried.

s/ Velma Chandler
CITY CLERK

s/ Thomas Campbell
MAYOR
