

FEBRUARY 19, 1981

Prior to calling to meeting to order, the Mayor welcomed several scouts who were present in the Council Chamber and called upon one of them, Aaron Hendriks, 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 Art Chandler and Ralph Wood. Also present: Velma Chandler, City Clerk; Dale Storer, Assistant City Attorney, and all other available Division Directors.

Minutes of the last regular meeting held February 5th, 1981, were read and approved.

Mayor Campbell asked Public Works Director Lloyd to escort City employee retiree George Humble to the Council Table. The Mayor stated that George had worked for the City for many years as a heavy equipment operator and had never refused to work after normal working hours to help out with snow removal or any other emergency-type work. Mayor Campbell wished George many happy years of retirement and presented him with an inscribed billfold as a token of appreciation, after which, George received a congratulatory handshake from all City Officials around the Council Table.

Mayor Campbell then asked Eagle Scouts David Kemp, David Jensen, and Tim Hopkins to come forward to the Council Table. At the request of the Mayor, each Eagle Scout introduced his parents and told of his project he completed to achieve the Eagle Scout award. Mayor Campbell challenged these scouts to remember this night when the Mayor and Council expressed their appreciation for jobs well done, and that the City was very proud of the Eagle Scouts of the area. The Mayor then presented each eagle scout with a certificate of appreciation, after which each received a congratulatory handshake from all City Officials around the Council Table.

This damage claim was then presented:

Cox & Ohman
February 17, 1981

Ms. Velma Chandler
Clerk of the City of Idaho Falls
Bonneville County Courthouse
Idaho Falls, Idaho 83401

Dear Ms. Chandler:

This office represents Ms. Patricia Ann Woodbury. The purposes of this letter is to notify you of her claim against the City for damages due to injuries sustained at the hands of two City employees who were acting within the course of their employment as Police Officers at the time of such injuries.

Pursuant to S6-907, I.C. we would inform you of the contents of such claim, as follows:

1. Claimant is now and for the past six weeks has been, a resident of Idaho Falls, Idaho.
2. On November 5, 1980, at approximately 12:30 A.M., after being stopped by Idaho Falls Police Officers on Interstate 15 for allegedly driving under

the influence of alcohol, claimant was unnecessarily and maliciously beaten by officers M.K. McBride and R. Anderson.

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3. Claimant sustained the following injuries:
Fractured coronoid process of the left ulna.
Lesions to the forehead, neck, cheeks and left wrist.
Emotional distress.
4. Claimant has also incurred damage due to loss of wages.
5. Claimant has also incurred attorney's fees.
6. Claimant has sustained damages in the sum of \$167,629.00

Yours very truly,
s/ N. Marlene Fleming ESQ.
Legal Intern
s/ Roger D. Cox, ESQ.

It was moved by Councilman Hovey, seconded by Erickson, that the City Clerk be authorized to forward the damage claim in the name of Patricia Ann Woodbury to the City's Liability Insurance Carrier for proper handling. Roll call as follows: Ayes, 4; No, none; carried.

The City Clerk requested Council authorization to publish a legal notice calling for a public hearing on March 5th, 1981, to consider the granting of a variance to permit the placement of a lighted sign for Gethsemane Baptist Church. It was moved by Councilman Sakaguchi, seconded by Deist, that the City Clerk be authorized to publish the legal notice as requested. Roll call as follows: Ayes, 4; No, none; carried.

Also, the City Clerk asked for Council authorization to publish a legal notice calling for a public hearing on March 5th, 1981, to consider the granting of a variance to permit placement of a lighted sign at the Office Plaza building on 17th Street. It was moved by Councilman Sakaguchi, seconded by Deist, that the City Clerk be authorized to publish the legal notice as requested. Roll call as follows: Ayes, 4; No, none; carried.

Next, the City Clerk asked for Council authorization to publish a legal notice calling for a public hearing on March 5th, 1981, to consider the granting of a variance to permit the extension of a variance allowing the placement of a mobile home at 1335 Ashment, requested by the L.D.S. Church. It was moved by Councilman Sakaguchi, seconded by Deist, that the City Clerk be authorized to publish the legal notice as requested. Roll call as follows: Ayes, 4; No, none; carried.

The City Clerk asked for Council ratification of the publishing of a legal notice, without formal Council approval, calling for a public hearing on March 5th, to consider proposed amendments to the Comprehensive Plan for the City of Idaho Falls. It was moved by Councilman Hovey, seconded by Erickson, that this action of the City Clerk be duly ratified. Roll call as follows: Ayes, 4; No, none; carried.

License applications for GROCERY STORE, KWIK Service, Midget Market; MEAT MARKET, Holiday Market, Village I.G.A.; RESTAURANT, K-Mart, Arthur Treacher's Fish & Chips, Aunt Fanny's on 17th Street, Bowl-ero, The Sizzler Steak House, Steamboat Willey's, Taco Time, The Bottom Line; DRAY, Browning Freight Lines, Inc.; FOOD CATERING, The Party Shop & Reception Center, Tender Moments Wedding Catering; CONCESSION, Snow Cone; MOTEL, Driftwood Motel; Evergreen Gables Motel; NON-COMMERCIAL KENNEL, Lorin Heward, Mary-Ide Cockers, Ellen Campbell; AUCTIONEER, George Blumberg; ITINERANT MERCHANT, Embassy Auctioneers, Inc. PHOTOGRAPHY, The King's Image, Paul Peck, Hart Photography; BOWLING ALLEY, Bowl-ero; DANCE HALL,

Bourbon Street; ELECTRICAL CONTRACTOR, Leonard Petroleum Equipment Co., Teton Sign Service, Intermountain Electric, Electrical Equipment, Company, Fairway Electrical, Jewel

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Electric, J.D. Hall Electric, Northwest Electric, Ray Johnson Electric, Steve Smith Electric, Smith Electric, Skyline Electric, Bruce Wheeler Electric; JOURNEYMAN ELECTRIC, Alexander E. Ainsworth, Rosslyn Bidstrup, George Bidstrup, Stephen Brunson, Derlin Campbell, J. Doug Hall, Harold Ray Johnson, Norman Reno, Francis Irving Shearer, Steve Smith, Willard Smith, Kay Thurman, J.F. Unsworth, James Unsworth, Bruce Wheeler; APPRENTICE ELECTRICIAN, Rodney Dockstader with Electrical Equipment, Douglas Hyde with Falls Electric, Jon Rick Nolan with J.D. Hall Electric, Carl Lynn Shearer with Electrical Equipment Co., Wayne Southwick with Richards Electric, Bobby Dean Smout with Electrical Equipment; MASTER PLUMBER, Dale Mathews, Dale Terry; JOURNEYMAN PLUMBER, Dale Terry, Dale Mathews; APPRENTICE PLUMBER, Darren Mathews, Darryl Mathews, Stephen Mathews; CLASS C JOURNEYMAN, GAS FITTER, AND REFRIGERATION, Dale Mathews; CLASS D REFRIGERATION, George Bidstrup; CLASS D GAS FITTER, Dale Smith; BEER (Canned and bottled, not to be consumed on the premises) KWIK Service, Midget Market; BEER (Canned, bottled, and draught, to be consumed on the premises), The Bottom Line; PRIVATE PATROL SERVICE, Interstate Security; BARTENDER, Teresa Chandler, Kolleen Gallagher, Connie Groves, Kathy Hink, Kurt Johnson, Dale Leatherman, Rocky Murdock, Marlene Price, Daniel Ruddell, LaReta Young, William Pigott; LIQUOR, The Bottom Line; WINE BY THE DRINK, ME-N-ED'S; WINE (Retail), Midget Market, 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.

This memo from the Electric Engineer was then read:

City of Idaho Falls
Idaho Falls, Idaho

ATTENTION: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: IMPLEMENTATION OF REGIONAL POWER ACT

Attached is a copy of a letter from the Pacific Northwest Generating Company which is an organization representing regional cooperatives.

It is being proposed that this agency represent small utilities during the course of implementing the Northwest Power Act. They have retained CH2M Hill and attorney Ted Springer of Idaho Falls for engineering and legal guidance.

If the City desires representation by this group, payment of \$3,680 is due as soon as possible.

Since most meetings on the act will be held in the Portland-Seattle area, it would be very difficult to have a City representative at all meetings affecting Idaho Falls.

s/ G. S. Harrison

It was moved by Councilman Hovey, seconded by Erickson, that the City Controller be authorized to pay \$3,680.00 as the amount due, based upon a percentage from all participants, to retain CH2M Hill and Attorney Ted Springer for engineering and legal

guidance on implementation of the Regional Power Act. Roll call as follows: Ayes, 4; No, none; carried.

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This memo from the Public Works Director was then read:

City of Idaho Falls
Idaho Falls, Idaho

ATTENTION: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: HIGHLAND PARK SEWER RECONSTRUCTION

On February 5, 1981 four (4) bids were opened for the reconstruction of Highland Park-U.S. Highway Sanitary Sewer, as follows:

H-K Contractors	\$ 23,384.00
Grover Construction	31,123.00
O & F Construction	32,247.00
Landon Excavating	32,639.35
Engineer Estimate	36,732.00

We are recommending that the contract be awarded to the low bidder, H-K Contractors, Inc, in the amount of \$23,384.00.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the contract for Highland Park Sewer re-construction be awarded to H-K Contractors, Inc. in the amount of \$23,384.00. Roll call as follows: Ayes: 4; No, none; carried.

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

City of Idaho Falls
February 18, 1981

ATTENTION: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: 10TH STREET 12-INCH WATER MAIN

On February 12, 1981 Four (4) bids were opened for the construction of 10th Street 12-inch water main, as follows:

Hood Construction	\$ 93,326.30
H-K Contractors	93,944.50
Ards Excavation	104,240.52
O & F Construction	124,495.75
Engineers Estimate	114,837.50

We are recommending that the contract be awarded to the low bidder, Hood Construction Co., Inc. in the amount of \$93,326.30.

s/ Don Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the low bid of Hood Construction Co., Inc. in the amount of \$93,326.30 be accepted for the 10th Street 12-inch water main. Roll call as follows: Ayes, 4; No, none; carried.

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Assistant City Attorney Storer presented an ordinance known as the Cross-Connection Ordinance. He explained that this ordinance had been passed on its first and second readings at previous council meetings. Attorney Storer then read the caption of said ordinance, as follows:

ORDINANCE NO. 1675

AN ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO, RELATING TO THE CONTROL AND ELIMINATION OF CROSS-CONNECTIONS AND CONTAMINATION OF THE CITY WATER SUPPLY SYSTEM. SETTING FORTH THE PURPOSE, DEFINING TERMS, DECLARING IT UNLAWFUL TO POLLUTE OR CONTAMINATE THE CITY WATER SUPPLY OR TO INSTALL OR MAINTAIN ANY CROSS-CONNECTION WITHIN THE CITY; REQUIRING THE INSTALLATION OF BACKFLOW PREVENTION DEVICES AND REGULATING THE INSTALLATION THEREOF, REQUIRING ALL BACKFLOW PREVENTION DEVICES TO BE INSPECTED AND TESTED AT INSTALLATION AND ANNUALLY THEREAFTER; REQUIRING PERMITS FOR INSTALLATION OF BACKFLOW PREVENTION DEVICES AND DECLARING IT UNLAWFUL TO INSTALL, RELOCATE, OR REMOVE A BACKFLOW PREVENTION DEVICE WITHOUT A PERMIT; PROHIBITING THE CONNECTION TO THE CITY WATER SUPPLY OF ANY NEW BUILDING, IMPROVEMENT OR STRUCTURE WITHOUT INSPECTION BY THE CITY WATER SUPERINTENDENT; PROVIDING FOR INSPECTIONS BY THE CITY OF EXISTING BUILDINGS, STRUCTURES OR IMPROVEMENTS AND REQUIRING TERMINATION OF THE WATER SUPPLY TO PREMISES HAVING CROSS-CONNECTIONS OR FOR WHICH A BACKFLOW PREVENTION DEVICE IS REQUIRED; REPEALING PRIOR INCONSISTENT ORDINANCES; PROVIDING THAT PROVISIONS OF THE ORDINANCE ARE SEPARABLE; AND PROVIDING FOR AN EFFECTIVE DATE.

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.

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There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 8:00 o'clock P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor