

**MARCH 6, 1980**

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Prior to calling the meeting to order, the Mayor recognized the presence, in the Council Chamber, of Scout Troop Numbers 597 and 344 and thanked them for their presence and interest in local government. The Mayor called upon one of the scouts, Lori Reith, to come forward and lead all those present in the Council Chamber 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 Thomas Campbell; Councilmen Art Chandler, Wes Deist, Mel Erickson, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Velma Chandler, City Clerk; Art Smith, City Attorney; and all other available Division Directors.

Minutes of the last regular meeting, held February 21st, 1980, and a special session held February 26th, 1980, were read and approved.

The Mayor then called upon Councilman Chandler, to conduct the annexation proceedings for New Sweden Estates, Division No. 4. At the request of Councilman Chandler, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: FINAL PLAT, ANNEXATION & INITIAL ZONING - NEW SWEDEN  
ESTATES, DIVISION NO. 4

Attached is a copy of the final plat, annexation ordinance and annexation agreement for the above described property. This matter was recently considered by the City Planning Commission at a public hearing and at that time it was recommended that the final plat be approved, the property be annexed to the City and initial zoning of R-1 be applied.

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

s/ Rod Gilchrist

A final plat of the above described area was then presented. It was moved by Councilman Chandler, seconded by Sakaguchi, that the final plat of New Sweden Estates, Division No. 4, be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

An annexation agreement between the City and the developer of New Sweden Estates, Division No. 4, was presented. It was moved by Councilman Chandler, seconded by Sakaguchi, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

**ORDINANCE NO. 1637**

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (New Sweden Estates, Division No. 4)

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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.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider the initial zoning of the newly annexed New Sweden Estates, Division No. 4. It was moved by Councilman Chandler, seconded by Sakaguchi, that the recommendation of the Planning Commission be upheld and the area, as described above, be initially zoned R-1 and the Building Official be directed to reflect said zoning on the official zoning map located in his office. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, to consider a petition to re-zone Lots 1, 2 and the E 1/2 of Lot 3, Lots 40 through 44, Block 9, and Lots 1 through 3, Block 16, of the Crow's Addition and asked Councilman Chandler to conduct the hearing. At the request of Councilman Chandler, the City Clerk read this memo from the City Planner.

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: REZONING PETITION - CROW'S ADDITION, BLOCKS 9 & 16

Attached is a copy of a petition to rezone Lots 1, 2 & the east half of Lot 3, and Lots 40, through 44, Block 9, and Lots 1 through 3, Block 16 of the Crow's Addition. This petition has been submitted by Rex and Vernita Meikle, Rheim and Alice Jones, and Georgia and Clyde Edgington.

They are requesting this property be rezoned from R-1 to R-3A. The Planning Commission recently considered this matter at a public hearing and at that time one protest was registered. After much discussion, the Planning Commission recommended unanimously this property be rezoned as requested.

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

s/ Rod Gilchrist

Councilman Chandler then asked the City Planner to locate the area on a map and explain the rezoning request. Councilman Erickson asked the City Planner if this request was consistent with what had been done on other property along Holmes Avenue. The City Planner answered in the affirmative, stating that most of the property in the immediate area was zoned R-3A. Mayor Campbell stated that it had been the policy of the

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Council that, in such zoning, the depth of a lot not exceed 150 feet and asked if this lot met that requirement. Gilchrist answered by saying that the deepest part of this area is 125 feet.

Councilman Hovey asked if the developer had indicated what they planned to do in the area. Gilchrist said they planned a day care center for a portion of the property but he did not know any further plans for the balance of the property.

Councilman Chandler asked if this were rezoned, would there be any driveways going onto Holmes Avenue. City Planner Gilchrist said it was the recommendation of the Planning Commission that there be no driveways onto Holmes Avenue and his department would watch it closely and restrict such accesses onto Holmes Avenue.

It was moved by Councilman Chandler, seconded by Sakaguchi, that the request be granted and the property be rezoned from R-1 to R-3A as recommended and the Building Official be directed to incorporate said zoning change on the official zoning map located in his office. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor asked the City Clerk to read the following petitions; one from residents on 2nd Street with 24 signatures and another from residents on 3rd Street with 23 signatures:

Signing this list with my full name and address means: I am entering a protest against the intention of an Administrative Authority to remove the lawn and cut and remove the trees between sidewalk and street in 3rd Street in order to make the street wider.

Mayor Campbell asked Councilman Deist to respond to these petitions. Deist said he had attended the meeting where a proposal to remove the trees on 2nd and 3rd Streets and widen the streets had been presented by some residents of the area. He said the Mayor had told the group at the meeting that it would be impossible to have the trees removed and widen the street if even one person objected. He said it was not the intention of this administration to do what a few people requested without fully evaluating the situation.

Mr. Wilhelm Reichelt, 295 South Boulevard, appeared briefly to say that he likes the streets the way they are and does not want the trees removed and the streets widened.

Councilman Deist said it should be made a matter of record that, in view of objections, the trees between the sidewalks on 2nd and 3rd Streets would not be removed at this time.

Mrs. Luella Crandall, representing the local veterans organization, appeared requesting City administration support in collecting funds to purchase flags for Veteran's graves. She said they had placed boxes for donations in local businesses and the Eagle Scouts had volunteered to help in any way they could. Mrs. Crandall asked that the City provide maps showing veteran's graves to help get the flags properly placed.

It was moved by Councilman Deist, seconded by Erickson, that the City Council approve a resolution of support in this project and that the City of Idaho Falls provide a map with pertinent information on cemetery plots and give any other assistance which might be required. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented three damage claims in the names of Sherry Johnson, Marjorie Wood and Howard Cummings:

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D. Fredrick Hoopes  
Attorney at Law  
P. O. Box 973  
570 Legion  
Idaho Falls, Idaho 83401

**CLAIM AGAINST CITY OF IDAHO FALLS**  
**COUNTY OF BONNEVILLE**  
**Idaho Tort Claims Act**

TO: Mr. Ron Longmore, Clerk, County of Bonneville  
Ms. Velma Chandler, Clerk, City of Idaho Falls

JAMES R. JOHNSON, father of SHERRY J. JOHNSON, hereby submits this claim pursuant to the Idaho Tort Claims Act, and in support thereof, respectfully represents:

1. On or about February 16, 1980, Sherry J. Johnson, hereinafter referred to as "Sherry", age 15, was walking from the "Starlite Rink", located at 2200 N. Woodruff to the "Gas n' Grub", located at N. Woodruff and Lincoln Roads, near the City of Idaho Falls, at approximately 9:30 p.m. or 10:00 p.m., to use the phone to call her parents for a ride home.

2. Sherry was walking with her friends, Gary and Linda, who are approximately the same age, and whose last names are presently unknown to the undersigned.

3. Before reaching the "Gas n' Grub", Sherry fell through an open manhole into a sewerline and fell approximately 12 to 15 feet from which fall she suffered extensive injuries.

4. Sherry was in the sewer for approximately thirty (30) minutes before paramedics arrived. Thereupon, Sherry was admitted to the hospital for 3 1/2 days.

5. Sherry's injuries were proximately caused by the negligence of the political subdivisions to whom this claim is directed or by its agents.

WHEREFORE, this document constitutes notice under Idaho Code, Title Six, Chapter Nine of my client's claim against the City of Idaho Falls and the County of Bonneville, State of Idaho, in the amount of \$100,000.00.

DATED this 22nd day of February, 1980.

s/ D. Frederick Hoopes  
Attorney for James R. Johnson  
and Sherry J. Johnson, daughter

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**IDAHO FALLS PUBLIC LIBRARY**  
**Idaho Falls, Idaho**  
**LIBRARY PATRON ACCIDENT REPORT**

Name of Patron: Marjorie Wood                      Date of Injury: January 24, 1980  
Address of Patron: 976 Canyon                      Time of Injury: 1:30 p.m.  
Location where Injury Occurred:                      Sidewalk from parking lot in rear  
Describe in detail how Patron  
was injured:    Slipped on icy sidewalk, fell on back striking  
back of head on sidewalk.  
What type, if any, First Aid or  
Medical Attention rendered:                      None  
Conditions of area where accident  
occurred:    Slippery walk.  
Other people who witnessed accident: A young man with a mustache helped me to  
my feet.

Claim against:                      City of Idaho Falls

Filed by:                                      Howard D. Cummings  
686 South Skyline Drive  
Idaho Falls, Idaho 83402

For damages which occurred when basement was flooded due to sewer backing up on  
the 12th day of January, 1980.

Costs

Direct		\$508.00
Indirect		178.00
Punitive		(to be determined)
44 yds carpet at \$7/yd	\$ 308.00	Cleaning materials                      \$ 10.00
Installation	100.00	Grate    5.00
Particle board shelving	5.00	Plug    3.00
Particle board cabinet	20.00	Electricity                                      10.00
Feather pillow	15.00	30 hr cleaning at \$5.00 per hr <u>150.00</u>
4'x4'x7' foam mattress	20.00	
\$178.00		
Food drying unit(shorted)	30.00	
Ceiling panels (2)	5.00	
Ironing board cover & pad	5.00	
	<u>\$508.00</u>	

s/ Howard D. Cummings  
February 15, 1980

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It was explained that these claims had been forwarded to the City's liability insurance carrier without formal Council approval. It was moved by Councilman Hovey, seconded by Chandler, that the action of the City Clerk in forwarding these claims to the City's liability insurance carrier be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of February, 1980, having been properly audited by the Fiscal Committee, were presented. The City Clerk read aloud all fund totals for services, materials and payroll, as follows:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT: \$	619,963.92	\$ 33,998.35	\$ 15,530.57	\$ 131,824.76
SALARY:	<u>339,938.13</u>	<u>20,228.13</u>	<u>6,218.45</u>	<u>44,718.61</u>
TOTAL:	\$ 959,902.05	\$ 54,226.48	\$ 21,749.02	\$ 176,543.37

	<u>ELECTRIC</u>	<u>GENERAL</u>	<u>RECREATION</u>	<u>MUN CAP IMPR</u>
SERV/MAT: \$	821,135.95	\$ 37,028.89	\$ 2,593.30	\$ 3,700.00
SALARY:	<u>67,544.06</u>	<u>23,772.86</u>	<u>5,498.02</u>	<u>.00</u>
TOTAL:	\$ 888,680.01	\$ 60,680.01	\$ 8,091.32	\$ 3,700.00

	<u>GEN LIBRARY</u>	<u>REG LIBRARY</u>	<u>REV SHARING</u>	<u>COMM DEVELOP</u>
SERV/MAT: \$	3,745.14	\$ 199.17	\$ 79.04	\$ 85,261.96
SALARY:	<u>16,990.26</u>	<u>724.51</u>	<u>.00</u>	<u>1,425.60</u>
TOTAL:	\$ 20,735.40	\$ 923.68	\$ 79.04	\$ 86,687.56

CITY TOTALS

SERV/MAT:	\$1,755,061.05
SALARY:	<u>527,058.63</u>
TOTAL:	\$2,282,119.68

Councilman Hovey explained all major expenditures. It was moved by Councilman Hovey, seconded by Chandler, that the bills be allowed and the Controller be authorized to issue checks or warrants on the respective funds for their payment. Roll call as follows: Ayes, 6; No, none; carried.

Reports from Division and Department Heads were presented for the month of February, 1980, and, there being no questions nor objections, these were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for GROCERY STORE, Speedi-Mart, Albertsons, Circle K, Smiths Food King, Anderson Street Albertsons; RESTAURANT, Shakeys Pizza, J.B.'s Big Boy, Paxman's 1st Street Drive-In, Wrangler Roast Beef, 17th Street Albertsons, Anderson Street Albertsons, Nibley's Donuts, Northgate Nibley's Donuts, Doug's Dairyland Kitchen, Sizzler Steak House, Aunt Fanny's, 19th Hole Cafe, Husky Hut, Development Workshop, Inc., Happy Joe's Pizza, Plaza Lanes, Taco Time; CONCESSION, Ruth's Circle at First Pentecostal Church; DAIRY, Western General Dairies, Inc., CLASS B CONTRACTOR, GAS, WARM AIR, REFRIGERATION, Bonneville Service Center, Jewel Electric; CLASS D CONTRACTOR, GAS FITTING, Paul's Gas Service; CLASS D JOURNEYMAN, GAS FITTING, Dale Smith, Brent K. Hall, Paul M. Ostler, Gary Ostler; CLASS D APPRENTICE, GAS FITTING, Mike Ostler with Paul's Gas Service Company, Blair Nave with Paul's Gas Service Company; CLASS D JOURNEYMAN, REFRIGERATION, Blaine E. Olson, George C. Bidstrup; MASTER PLUMBER, Terry Plumbing and Heating; JOURNEYMAN PLUMBER, Dale E. Terry; ELECTRICAL

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CONTRACTOR, Summit Electric, Jewell Electric, JOURNEYMAN ELECTRICIAN, George C. Bidstrup, Rosslyn Bidstrup, Robert J. Edwards; PUBLIC RIGHTS OF WAY CONTRACTOR, Tap Construction, New Concept Realty and Development; COMMERCIAL KENNEL, Northgate Veterinary Hospital; NON-COMMERCIAL KENNEL, Margaret Walker, SECOND HAND STORE, Dean's Antiques and Coins; BOWLING LANES, Plaza Lanes; THEATER, Centre Theater, Rio Theater; MOTEL, Motel West; PHOTOGRAPHY, D and M Photo Service, Freelance Photo, Jay Ned Photography, King's Image, Claude W. Nielsen Photo; BARTENDER, Jayme Ritchie, Michael Campbell, Geraldine Kukura, Richard D. Wachter, Mario Pricirillo, Barbara E. Healy, Kam Borr Kwong, Joseph F. Kelly; BEER, CANNED AND BOTTLED TO BE CONSUMED ON PREMISES, 19th Hole Cafe; BEER, CANNED, BOTTLED, AND DRAUGHT TO BE CONSUMED ON THE PREMISES, Happy Joe's Pizza; were presented. It was moved by Councilman Erickson, seconded by Deist, that these licenses be granted subject to the approval of the appropriate Division Director where required. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Treasurer was a City Redemption Tax Deed in favor of C. B. McNeil, Sr., accompanied by this resolution:

**R E S O L U T I O N (Resolution No. 1980-05)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by deed of the City Treasurer, dated this 7th day of September, 1979, recorded as instrument No. 571954 in the records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

North 30'8" of Lots 7 and 8, Block 26 Railroad Addition to the City of Idaho Falls, County of Bonneville, per the recorded plat thereof.

WHEREAS, C. B. McNeil Sr. has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW, THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to execute and deliver to the said C. B. McNeil, Sr. a quit claim deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 6th day of March, 1980.  
APPROVED BY THE MAYOR this 6th day of March, 1980.

ATTEST: s/ Velma Chandler  
City Clerk

s/ Thomas Campbell  
Mayor

It was moved by Councilman Hovey, seconded by Chandler, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the City Controller was presented:

**MARCH 6, 1980**

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City of Idaho Falls

MEMORANDUM

TO: Mayor Thomas Campbell and City Council  
FROM: John D. Evans, Controller  
SUBJECT: RENEWAL OF INSURANCE - FIRE LIABILITY AND PUBLIC  
OFFICIALS LIABILITY COVERAGE

Requesting your approval to renew the City's Fire Liability insurance coverage with the Home Insurance Co. for a period of one year - 3-30-80 thru 3-30-81.

Also, approval to renew the Public Official Liability coverage (Errors and Omissions) with the Forum Insurance Co. for a period of one year - 3-13-80 thru 3-13-81.

The Homer Koster Co. of Idaho Falls is the local agency and Emmett Gallup agent.

s/ Ron Duersch  
Sr. Accountant

It was moved by Councilman Erickson, seconded by Chandler, that the City Controller be authorized to renew the fire liability and public officials liability insurance coverage as requested. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Fire Chief was then presented:

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Mayor and Council  
FROM: Douglas C. Call, Fire Chief  
SUBJECT: CONTRACT BETWEEN CITY OF IDAHO FALLS,  
BONNEVILLE COUNTY AND IDAHO FALLS  
CONSOLIDATED HOSPITALS

This contract is an agreement which will help alleviate the costs of providing non-emergency transports between the two hospital facilities.

It has been reviewed by the City Attorney, the County Attorney and the Attorney for the Idaho Falls Consolidated Hospitals.

We would recommend that the Mayor and City Clerk be authorized to sign the resolution and the agreement.

s/ Douglas C. Call

This memo served to introduce the following resolution:

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**R E S O L U T I O N (Resolution No. 1980-06)**

WHEREAS, the City of Idaho Falls, Idaho, and Bonneville County, Idaho, a political subdivision of the State of Idaho, have heretofore entered into a written agreement entitled AMBULANCE JOINT - SERVICE AGREEMENT dated the 10th day of September, 1970, regarding the delivery of ambulance services to the general public;

WHEREAS, the Idaho Falls Consolidated Hospitals, Inc., has need for ambulance vehicles for the transportation of its patients between its nursing home, its Riverview facility and its Parkview facility;

WHEREAS, the ambulance service operated by the City and County has heretofore transported such patients between the said facilities as a public service, and at a reasonable cost to such patients, but without cost to the said Hospital;

WHEREAS, it is not economically feasible for the Hospital to maintain duplicate equipment and treatment facilities at all of its locations, and as a result thereof, it has been occasionally necessary to transport patients between the said locations; and whereas such hospital-generated transportation has not heretofore been billed directly to the patient.

WHEREAS, the demand for hospital-generated transportation has substantially increased within the past year;

WHEREAS, the City deems it to be in the best interest and for the general welfare of the public to continue to provide such ambulance service to the public at a reasonable cost;

NOW THEREFORE, be it hereby resolved by the Mayor and City Council of the City of Idaho Falls, Idaho, as follows:

Section 1: That the City of Idaho Falls enter into an agreement with the Idaho Falls Consolidated Hospitals, Inc., to provide ambulance vehicle transportation to the said hospital on the terms and conditions set forth hereinafter.

Section 2: That the Mayor of the City of Idaho Falls is hereby authorized and directed to sign the said agreement on behalf of the City of Idaho Falls, and the City Clerk is hereby authorized and directed to attest the signatures of the Mayor and to impress the official seal of the City of Idaho Falls on the aforesaid agreement.

Section 3: That a true and correct copy of the said agreement is attached hereto and made a part hereof.

PASSED BY THE CITY COUNCIL this 6th day of March, 1980.

APPROVED BY THE MAYOR this 6th day of March, 1980.

ATTEST:

s/ Velma Chandler  
City Clerk

s/ Thomas Campbell  
Mayor

**MARCH 6, 1980**

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It was moved by Councilman Wood, seconded by Hovey, that the agreement between the City of Idaho Falls, Bonneville Country and the Idaho Falls Consolidated Hospitals be approved and the Mayor and City Clerk be authorized to sign the resolution and agreement. Roll call as follows: Ayes, 6; No, none; carried.

From the Parks and Recreation Director, came this memo:

City of Idaho Falls  
March 3, 1980

MEMORANDUM

TO: Mayor and Council  
FROM: Ernest Craner, Director of Parks & Recreation  
SUBJECT: INDOOR SWIMMING POOL

The Parks and Recreation Commission, Council Committee and the Parks and Recreation Division respectfully request that the Mayor and City Council appoint an architect to design an indoor swimming pool in Idaho Falls.

s/ Ernest Craner

Councilman Deist said that the Council Committee and Parks and Recreation Director Craner had contacted nine architectural firms and found most of them interested in designing an indoor swimming pool. He said it had been a difficult decision to make, but the Committee felt that Sundberg and Associates should be given top consideration as they had designed pools for the City on previous issues. Therefore, it was moved by Councilman Deist, seconded by Erickson, that the architectural firm of Sundberg and Associates be named as architect to design a swimming pool complex on a contingency basis. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the City Planner was presented:

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: PROPOSED ADOPTION OF THE 1980 SUPPLEMENT TO 1980 BUILDING CODE, U.B.C. STANDARDS AND THE UNIFORM FIRE CODE

We are requesting that the above mentioned supplement to the Uniform Building Code, U.B.C. Standards and the Uniform Fire Code be adopted. This supplement contains changes approved by the international Conference of Building Officials and the Western Fire Chiefs Association annual conference.

The changes included are primarily clarification in some definitions, new information on foam plastic insulation and it's use and a section on construction of malls. We respectfully request that City Attorney be authorized to prepare the necessary ordinance to adopt this supplement.

s/ Rod Gilchrist

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It was moved by Councilman Chandler, seconded by Sakaguchi, that the City Attorney be authorized to prepare the necessary ordinance to adopt the 1980 supplement to the Building Code. Roll call as follows: Ayes, 6; No, none; carried.

Also, from the City Planner, came this memo:

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: AMENDMENT TO THE ELECTRICAL CODE, ORDINANCE NO. 1156

Attached is a proposed amendment to Subsection F, Paragraph 8 of the Electric Code, having to do with fees for electrical permits. At the time the electric code was last re-codified and adopted, a clerical error left out a clause in the above mentioned paragraph which includes light fixtures in the calculation of an electrical permit fee. The proposed amendment would put this clause back into the ordinance as originally intended.

We respectfully request the City Attorney be directed to prepare the necessary amending ordinance.

s/ Rod Gilchrist

It was moved by Councilman Chandler, seconded by Sakaguchi, that the City Attorney be authorized to prepare the necessary ordinance to amend the electrical code as recommended. Roll call as follows: Ayes, 6; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: G. S. Harrison  
SUBJECT: WESTSIDE SUBSTATION

The City has an option to purchase approximately 23.5 acres of land on the Northeast corner of Pioneer and New Sweden School Road. This land is intended to be used for the location of a Westside Substation.

The option will expire March 13, 1980. For consideration on the option, the City has paid \$6,000 towards the purchase of this property. Total purchase price of the 23.5 acres is \$105,000.

If the Council exercises this option, a balance of \$99,000 will be due the current owner.

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The Electric Division recommends the purchase of this property.

s/ Steve Harrison

It was moved by Councilman Hovey, seconded by Wood, that the City Controller be authorized to make payment of \$99,000, the balance due for purchase of the land as described, subject to the approval of the legal department. Roll call as follows: Ayes, 6; No, none; carried.

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-80-5, HYDROELECTRIC PROJECT T-ELECTRICAL EQUIPMENT

It is the recommendation of the Electrical and General Services Divisions that the City Council accept the low bid of General Electric Supply Company to furnish the electrical equipment, including transformers, for the Hydroelectric Project, for a lump sum of Eight Hundred Forty Two Thousand Nine Hundred Twelve Dollars and Ninety Eight Cents (\$842,912.98) as per bid specifications.

It is recommended that this acceptance be contingent upon receipt of written approval from the Department of Energy.

It is required that the Mayor be authorized to sign the Notice of Award and the Contract Documents.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Councilman Chandler, that the low bid of General Electric Company to furnish the electrical equipment, including transformers, for the Hydroelectric project in the amount of \$842,912.98 be accepted contingent upon the receipt of written approval from the Department of Energy, and that the Mayor be authorized to sign the notice of award and the contract documents. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls  
March 3, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-80-12, CHLORINE

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It is the recommendation of the Public Works and General Services Divisions that the City Council accept the low bids of Great Western Chemical Company to furnish one (1) ton cylinders at \$214.50 each and Thatcher Chemical Company to furnish 150 pound cylinders at \$40.00 each.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Chandler, that the low bids of Great Western Chemical Company to furnish one ton cylinders at \$214.50 each and Thatcher Chemical Company to furnish 150 pound cylinders at \$40.00 each for chlorine be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls  
March 4, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: LEASE AGREEMENT -- TAUTPHAUS PARK AMUSEMENT CONCESSION

Attached is a copy of a lease agreement between the City of Idaho Falls and Western Amusement Company to operate the amusement, entertainment and refreshment concessions at Tautphaus Park. The agreement has been signed by Mr. Leo Larsen, President of Western Amusement Company and has been approved by the City Attorney and the Parks and Recreation Committee.

It is requested that the City Council authorize the Mayor and City Clerk to sign the attached agreement.

Thank You,  
s/ Chad Stanger

Councilman Erickson stated that the Parks and Recreation Committee had appointed a Citizens Committee to meet with Mr. Larsen to discuss operational plans and review the lease agreement. Erickson said that, upon advice from the City Attorney, the lease was for a five year period instead of the previous fifteen year period. He said the Committee was very pleased with the attitude of Mr. Larsen and the plans he made for future improvements. It was moved by Councilman Erickson, seconded by Chandler, that the lease agreement between the City and Mr. Leo Larsen dba Western Amusement Company for the amusement concession at Tautphaus Park be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls  
March 5, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd. P.E.  
SUBJECT: REVISION OF A CITY-COUNTY AGREEMENT FOR THE HAPPYVILLE AREA

**MARCH 6, 1980**

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We are submitting an original and two copies of a new or amended contract between City and Bonneville County regarding the Happyville Water and Sewer System. Item 3 and Item 4 of the original contract dated January 10, 1980, have been revised to conform with the actual construction costs and participation calculations. The County Commissioners have signed the new contract. Therefore, the Public Works Committee requests and recommends that the City cancel the original contract and authorize the Mayor and City Clerk to execute the new contract dated March 3, 1980.

s/ Don Lloyd

Councilman Sakaguchi asked the City Attorney to comment about this agreement. City Attorney Smith said there was a comprehensive contract between the City and Bonneville County dated January 10th, 1980, for installing an adequate water and sewer system for the Happyville area. He said this was approved by the Council and they authorized the Mayor and City Clerk to sign, but when it went to the County Commissioners, the people who were actually doing the work felt uneasy about the figures in two paragraphs and asked the County Commissioners to itemize the amounts and increase them. He said the figure for costs was \$21,065 and had now been increased to \$39,250 but the City would not have to pay any of these costs as the City would be acting only as a conduit for receiving one half of this money and then turn it to the County Commissioners to pay for the project and then the City would take over ownership. Smith continued that this contract has been reviewed in his office, and in his opinion, it is in good form. He said it should be understood that, after the Council authorized the Mayor and City Clerk to sign this agreement and it went to the County, they did not sign that agreement until they had made the above mentioned changes. Smith said that, in his opinion, if the Council tonight again authorize the Mayor and City Clerk to sign this document as of March 3rd, 1980, they would have a final and complete document and a binding contract.

It was moved by Councilman Sakaguchi, seconded by Deist, that the City of Idaho Falls cancel the original contract made on January 10, 1980 and authorize the Mayor and City Clerk to execute the new contract dated March 3rd, 1980. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls  
March 5, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: LAND EXCHANGE BETWEEN CITY AND LYMAN HEMMERT

The attached sketch shows two parcels of property identical in size, one each owned by the City and Mr. Hemmert. We have found that there are advantages to each party for an exchange of ownership. Public Works Committee has reviewed this proposal and are recommending that the City Attorney be authorized to prepare an Ordinance affecting this exchange.

s/Don Lloyd

**MARCH 6, 1980**

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It was moved by Councilman Sakaguchi, seconded by Deist, that the City Attorney be authorized to prepare an ordinance affecting the exchange of property between the City and Lyman Hemmert. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls  
March 5, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: ORDINANCE NO. 1602 AMENDMENT

Ordinance No. 1602 pertains to planning and engineering fees. We have found that if the development does not follow thru to annexation, two feet are not collected. The Public Works Committee would request that this Ordinance Amendment as presented by the City Attorney be approved.

s/ Don Lloyd

This memo served to introduce this ordinance:

**ORDINANCE NO. 1638**

AN ORDINANCE REPEALING ORDINANCE NO. 1602, ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO; ESTABLISHING FEES TO BE CHARGED FOR CERTAIN SERVICES PERFORMED BY THE ENGINEERING DEPARTMENT AND BY THE PLANNING DEPARTMENT OF THE CITY OF IDAHO FALLS, IDAHO; AND PARTICULARLY DESIGNATING SUCH SERVICES; PROVIDING WHEN THIS 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.

This memo from the Public Works Director was then presented:

City of Idaho Falls  
March 5, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F, Lloyd  
SUBJECT: L.I.D. NO. 54

**MARCH 6, 1980**

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The City Attorney has been requested to prepare an Ordinance creating L.I.D. No. 54 and authorizing advertisement for construction bids. Public Works Committee would recommend that this Ordinance be considered favorably.

s/ Don Lloyd

Councilman Sakaguchi asked the City Attorney for comment. City Attorney Smith said that two meetings had been held concerning the creation of L.I.D. No. 54 and the recommendation of the Public Works Committee was to deny all protests and create the district. He said the experts of the previous meetings had been prepared and, in his opinion, everything was in order for the ordinance creating the district to be considered by the Council.

Councilman Sakaguchi introduced Ordinance No. 1639 entitled:

**ORDINANCE NO. 1639**

“AN ORDINANCE CREATING AND SETTING FORTH THE BOUNDARIES OF LOCAL IMPROVEMENT DISTRICT NO. 54 IN AND FOR IDAHO FALLS, IDAHO, FOR THE PURPOSE OF CONSTRUCTING EXTENDING AND PURCHASING STORM SEWERS AND CONDUITS FOR DRAINAGE PURPOSES WITH INLETS OR OUTLETS, MANHOLES AND CATCH BASINS AND ALL OTHER STORM SEWER APPURTENANCES NECESSARY TO SURFACE DRAIN THE LAND WITHIN SAID DISTRICT; PROVIDING THAT SUCH IMPROVEMENTS SHALL BE MADE AND THAT THE COST AND EXPENSE OF SUCH IMPROVEMENTS SHALL BE MADE AND THAT THE COST AND EXPENSE OF SUCH IMPROVEMENTS SHALL BE TAXED AND ASSESSED UPON ALL PARCELS OF LAND WITHIN SAID DISTRICT IN PROPORTION OF THE AREAS OF SUCH PARCELS OF LAND AND IN PROPORTION TO THE BENEFITS TO BE DERIVED FROM SAID IMPROVEMENTS; PROVIDING THAT A PORTION OF THE COSTS OF SAID IMPROVEMENTS SHALL BE PAID FROM THE FUNDS OF THE CITY AND FIXING THE AMOUNT THEREOF; AND PROVIDING FURTHER THAT THE MAKING OF SAID IMPROVEMENTS IS DEPENDENT UPON THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT BONDS TO DEFRAY THE COST OF SAID IMPROVEMENTS AND OF SAID DISTRICT OTHER THAN THE COST AND EXPENSE TO BE PAID FROM THE FUNDS OF THE CITY; INSTRUCTING THE CITY ENGINEER TO CAUSE NECESSARY PLANS AND SPECIFICATIONS FOR SAID IMPROVEMENTS TO BE PREPARED; AND INSTRUCTING THE CITY CLERK TO ADVERTISE FOR BIDS FOR THE MAKING OF SAID IMPROVEMENTS, ALL PURSUANT TO THE PROVISIONS OF SECTION 50-1710, IDAHO CODE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.”

**MARCH 6, 1980**

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He moved that the Ordinance be adopted and passed by the Council on its first reading. Motion was seconded by Councilman Deist and the same, being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present. It was moved by Councilman Sakaguchi that the rules be suspended, and that the ordinance be placed on its second and third reading. Motion was seconded by Councilman Deist and the same being put to vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Sakaguchi, seconded by Councilman Deist, that the Ordinance pass its third reading, and that the same be adopted, and the Clerk be instructed to publish the same as required by law, and the same being put to a vote, it was unanimously carried, the vote being as follows: Ayes, Councilmen Arthur Chandler, Wesley Deist, Melvin Erickson, Paul Hovey, Sam Sakaguchi, and Ralph Wood.

This memo from the Police Chief was read by the City Clerk:

City of Idaho Falls  
March 6, 1980

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Pollock  
SUBJECT: REQUEST FOR CONSIDERATION OF 25 MPH SPEED

Due to the construction on First Street the detoured vehicle traffic has created a hazard for the young school students along Melbourne Drive and Meppen traveling between First Street and John Adams Parkway. We recommend it be posted 25 MPH for better traffic control by the officers to better protect the young students.

s/ Bob Pollock

Councilman Erickson said that the Traffic Committee had reviewed this situation and, because of the construction of two bridges on First Street, the traffic has been re-routed through a residential area thus creating a hazard for the young school students. It was moved by Councilman Erickson, seconded by Deist, that the detour route along Melbourne Drive and Meppen Street between First Street and John Adams be posted 25 miles per hour as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson stated that months ago the Council had passed a resolution which released the Police Department of the responsibility of investigating accidents on private property. He said that the Police Department is often requested to have the Police Officers go out to large parking areas and actually issue citations at the request of the property owner. Erickson said the Council Committee has reviewed these requests and, using the EG&G parking lot as an example, would recommend that the Police Chief be authorized to deputize an assistant at the EG&G parking lot to take action as needed on this lot, this relieving the Police Officers of time expended there. He said that there is a security division at the airport that is operating in this manner and the Committee feels it would work on lots such as the EG&G parking lot. Therefore, it was moved by Councilman Erickson, seconded by Deist, that the Police Chief be authorized to deputize personnel of EG&G for purpose of issuing tickets on the EG&G parking lot. Roll call as follows: Ayes, 6; No, none; carried.

**MARCH 6, 1980**

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City Attorney Smith said he had recently been given authorization by the Council to prepare an ordinance to vacate an easement in the Old Fashion Way Addition and he now had that ordinance ready for Council consideration. Smith read the caption of said ordinance, as follows:

**ORDINANCE NO. 1640**

AN ORDINANCE VACATING A CERTAIN EASEMENT WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING SAID EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF SAID CITY A QUITCLAIM DEED CONVEYING SAID VACATED LAND TO DEVCO, INC., A CORPORATION, THE ADJACENT OWNER; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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.

There being no further business, it was moved by Councilman Hovey, seconded by Sakaguchi, that the meeting adjourn at 9:15 P.M., carried.

s/ Velma Chandler  
City Clerk

s/ Thomas Campbell  
Mayor

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