

DECEMBER 20, 1979

The City Council of the City of Idaho Falls met in regular meeting, Thursday, December 20, 1979, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor Tom Campbell; Councilmen Charles Clark, Mel Erickson, Jim Freeman, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Velma Chandler, City Clerk; Arthur Smith, City Attorney; and all other available Division Directors.

Minutes of the last regular meeting, held December 6, 1979, were read and approved.

Mayor Campbell invited City employee retiree Eugene L. Clayton, to come forward to the Council table. The Mayor commended Mr. Clayton for thirty-five years of dedicated service with the City and stated that the City would truly miss Gene's knowledge in locating trouble spots on electric lines. He then wished Mr. Clayton many enjoyable years of retirement and presented him with an inscribed billfold as a token of appreciation. Mr. Clayton then received a congratulatory handshake from all City officials around the Council table.

The Mayor announced that this was the time and the place to conduct a public hearing, recessed from the last Council meeting on December 6th, to consider a request to rezone a portion of Lot 1, Block 3, Westgate Addition, Division No. 1, and asked Councilman Freeman to conduct the hearing.

Councilman Freeman then asked the City Clerk to read this explanatory memo from the City Planner:

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING – WESTGATE ADDITION, DIVISION NO. 1. BLOCK 3, PORTION OF LOT 1

Attached is a copy of a request to rezone the above described property from R-3A to C-1. This property was previously scheduled for a rezoning hearing on December 6th, but was recessed until this date and referred back to the City Planning Commission for further study.

The Planning Commission discussed this matter at their regular meeting of December 11th and at that time recommended unanimously that the property be zoned C-1.

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

s/ Rod Gilchrist

City Planner Gilchrist spotted the area on a map on the wall. There were none who appeared to protest or otherwise comment, therefore it was moved by Councilman Freeman, seconded by Clark, that the recommendation of the Planning Commission be upheld and the above described area be rezoned from R-3A to C-1 and the Building Official be directed to incorporate said rezoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

Reference is made to page 589 in this book of Minutes, and more specifically, Council authorization for the City Clerk, until January 1st, 1980, to issue license renewals as quickly as applications were made, without formal Council approval, subject only to approval by the appropriate Division Director or his designated representative and subject, further, to said applications being ratified by the Council at a regular Council meeting. Following then, are license applications that have been processed in that manner since December 6th.

License applications for RESTAURANT, Skyway Bar, Skaggs Drug, Inc., Remo's Restaurant; DANCE HALL, Matador Lounge; BEER, CANNED, BOTTLED AND DRAUGHT TO BE CONSUMED ON THE PREMISES, Fraternal Order of Eagles #576, Grand Bar, Inc., Remo's Restaurant; BEER, CANNED, BOTTLED TO BE CONSUMED ON THE PREMISES, Matador Lounge, BEER, CANNED AND BOTTLED NOT TO BE CONSUMED ON THE PREMISES, Safe Fast Gas, Speedi Mart, Circle K #0084; BARTENDER, Clyde D. Hiller, PRIVATE PATROLMAN, Wendy G. Brimhall, Joel E. Bowman, Ronald E. Kelly, Jr., LIQUOR, Matador Lounge, Remo's Restaurant, Fraternal Order of Eagles Aeire #576. It was moved by Councilman Clark, seconded by Freeman, that these actions be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a liquor catering permit in favor of Bonneville Lounge to sell liquor by the drink on December 12th at the Senior Citizens Center, for an E.G.&G. gathering. It was explained that this permit had been issued with the approval of the Police Chief but without the approval of the City Council. It was moved by Councilman Clark, seconded by Freeman, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

License applications for RESTAURANT, Pockets; GROCERY STORE, Village Market, Highland Market, Skyline Market, Memorial Drive Saving Center, 17th Street Saving Center, Faye's Foodliner; DANCE HALL, Hub Bar; POOL ROOM, Pockets; PHOTOGRAPHY, Leland Keller; ELECTRICAL CONTRACTOR, Twins Electric, Fairway Electric, Inc.; JOURNEYMAN ELECTRICIAN, Leland Staten, Richard Judy; MASTER PLUMBER, Clarence P. Wilde, Jr. for Rigby Plumbing and Heating, B. E. Wheeler for Greene Plumbing and Heating, F. L. Pendleton for Pendleton Plumbing; JOURNEYMAN PLUMBER, F. L. Pendleton, Clarence P. Wilde Jr., J. Dale Browning; APPRENTICE PLUMBER, Neil F. Jeffs; CLASS D CONTRACTOR, GAS FITTING, Jay Rowley for Amcor, Inc., Max P. McDonald for McDonald Plumbing; CLASS D CONTRACTOR, REFRIGERATION, Jack D. Scott for Scott's Refrigeration; CLASS D JOURNEYMAN, REFRIGERATION, Joel W. Blenkinsop; CLASS D JOURNEYMAN, GAS FITTING, Max P. McDonald, Daniel R. Lewis, Fay Rowley; PUBLIC RIGHTS OF WAY CONTRACTOR, Skidmore Construction and Millwork, Inc., Boise Cascade Building Materials Center; PRIVATE PATROL SERVICE, Robert S. Hammon for Hammon's Service; PRIVATE PATROLMAN, Robert Hammon, John D. Gruver, Robert A. Young; BARTENDER, Wanda Erickson, John Ratcliff, Linda Cain, Stanley Burgard, Steve Maraffio, J. W. Banks; BEER, CANNED, BOTTLED AND DRAUGHT TO BE CONSUMED ON THE PREMISES, Ford's Bar, Hub Bar, Pockets, Inc.; BEER, CANNED AND BOTTLED NOT TO BE CONSUMED ON THE PREMISES, Highland Market, Village Market, Skyline Market, Memorial Drive Saving Center, 17th Street Saving Center, Faye's Foodliner; LIQUOR, Ford's Bar, Hub Bar, Pockets, Inc., were presented. It was moved by Councilman Clark, seconded by Freeman, that these license be granted, subject to the approval of the appropriate Division Director where required. Roll call as follows: Ayes, 6; No, none; carried.

From the City Controller, this memo was presented:

DECEMBER 20, 1979

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Thomas Campbell, Mayor and City Council
FROM: John D. Evans, Controller
SUBJECT: UNPAID UTILITY ACCOUNTS – CHARGE OFF

In accordance with previously established practice, we approach the Council annually, requesting that unpaid utility accounts that have been on the books for four (4) years be charged off. Each of you have been provided with a computerized print out of accounts in this category, dating back to 1975 totaling \$9,957.54. This is based upon total utility revenue billed that year in the amount of \$6,642,823.00 and using those two figures as the criterion, the percentage of charge-offs would be .15 of 1%. There are 185 affected accounts and these have been in the hands of a professional collector since 1975. All collection efforts have been exhausted. These unpaid accounts were created by bankrupts, skips, deceased persons and those completely without assets.

We ask authorization to charge these accounts off as uncollectable.

s/ John D. Evans

Councilman Hovey commended the City Controller and the City Clerk's office for serving the taxpayer well in keeping the percentage of charge-offs at such a low level. It was moved by Councilman Hovey, seconded by Erickson, that these utility accounts be charged off as uncollectable. Roll call as follows: Ayes, 6; No, none; carried.

From the Airport Committee came this memo:

City of Idaho Falls
December 19, 1979

MEMORANDUM

TO: Mayor and City Council
FROM: Airport Committee
SUBJECT: FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT
AMENDMENT NO. 3 FOR THE AIRPORT TERMINAL EXPANSION
PROJECT

The acceptance by the City of the Federal Aviation Administration Grant Agreement, Amendment No. 3, will secure the 1980 airport enplanment fund from the Federal Aviation Administration in the amount of \$303,285.00 as part of the multi-year grant for the airport terminal expansion project.

The Grant Agreement, as well as the accompanying Resolution, has been reviewed and approved by the City Attorney.

The Airport Committee requests approval of the Mayor and City Council of the Federal Aviation Administration Grant Agreement, Amendment No. 3.

DECEMBER 20, 1979

Merry Christmas!

s/ Tom Miller

The following resolution was introduced by Councilman Clark, read in full, considered, and adopted:

RESOLUTION (Resolution No. 1979-20)

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, accepting the Grant Offer of the United States of America through the Federal Aviation Administration, Amendment No. 3, in the maximum amount of \$303,285.00 to be used as a part of multi-year grant for the Airport Terminal Expansion Project No. 6-16-0018-04 in the development of the Idaho Falls Municipal Airport; and

BE IT RESOLVED by the members of the City Council of the City of Idaho Falls, Idaho, as follows:

Sec. 1. That the City of Idaho Falls shall accept the Grant Offer of the United States of America in the amount of \$303,285.00 for the purpose of obtaining Federal Aid under Project No. 6-16-0018-04 in the development of the Idaho Falls Municipal Airport; and

Sec. 2. That the Mayor of the City of Idaho Falls is hereby authorized and directed to sign the statement of Acceptance of said Grant Offer on behalf of the City of Idaho Falls, and the City Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the City of Idaho Falls on the aforesaid statement of Acceptance; and

Sec. 3. A true copy of the Grant Offer referred to herein is attached hereto and made a part thereof.

It was noted that, by adoption of the foregoing Resolution, the Mayor and City Clerk were given authorization to sign the acceptance of Amendment No. 3 to Multi-Year Grant Agreement for Project No. 6-16-0018-04.

This memo from the City Planner was presented:

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: COUNTY PLAT – WESTSIDE PARK, DIVISION NO. 1

Attached is a copy of the Final Plat of Westside Park, Division No. 1. This property is located within one mile of the City limits, and therefore, approval by the City is necessary.

DECEMBER 20, 1979

The City Planning Commission has reviewed this plat and recommended approval. This Department concurs with that recommendation and this matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

City Planner Gilchrist explained that this area consisted of seven (7) lots located near the Skyline High School and that the Developer intends to tie onto the City sewer when it is available. It was moved by Councilman Freeman, seconded by Clark, that the Final Plat of Westside Park, Division No. 1 be approved as recommended and that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

The following memo from the Parks and Recreation Director was presented:

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Mayor and City Council
FROM: Parks and Recreation Director
SUBJECT: CROSS-COUNTRY SKI COURSE

Dave Long in cooperation with the Department of Parks and Recreation is proposing a cross-country skiing course complete with instructional classes. The course would be set up at the Pinecrest Golf Course.

The program would start the first week of January, 1980, pending adequate snow conditions and run for 4 continuous weeks.

It is anticipated that between 96-130 students would participate at a cost of \$16.00 per student (the City would receive \$8.00 per student.)

Besides having instructional courses there would be public skiing also. A fee would be charged to get on to the course, and the course would be supervised whenever open to the public. The course will not be open every day and no one will be allowed off the main trail.

The classes also provide class room courses in survival and fitness.

The classes and the public skiing will be held only 3 days a week.

To make the trail and keep it groomed a snow machine and track set are needed. *The Ski Club has purchased a machine that will be used.

There would be no cost to the City for this program. Offset by fees.

*Note: Bingham Mechanical donated the track set machine.

s/ Ernest Craner
s/ John Johnson

DECEMBER 20, 1979

It was moved by Councilman Freeman, seconded by Erickson, that the cross-country skiing course be approved as outlined. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk then read this memo from Police Chief Pollock:

City of Idaho Falls
December 19, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Bob Pollock
SUBJECT: REFERRAL FROM PREVIOUS COUNCIL MEETING

A petition was submitted complaining on the traffic through the alley running Northwest from the Skyline Shopping Center along and into Raymond Drive. This was referred for a recommendation.

It is suggested that this alley be made one way going from Skyline Drive to Raymond. Also, to erect a sign in the alley at the west end of the parking lot off Skyline stating No Through Traffic. Also, where it is possible to go from the alley over to Hansen Avenue through private property to install a sign in the alley, for anyone bound southeast to see, DO NOT ENTER.

s/ Bob Pollock

Councilman Clark said that a series of traffic checks were made on this area and it was evident that traffic hazards do exist. It was moved by Councilman Clark, seconded by Freeman that the alley running northwest from Skyline Shopping Center into Raymond Drive be "one way" and also, that a sign "DO NOT ENTER" be installed in the alley for anyone going southeast to see. Roll call as follows: Ayes, 6; No, none; carried.

At this time, the Mayor declared a brief recess, occasioned by the appearance of several friends of Councilman Freeman, who came to show him their appreciation for his successful administration during his career as a Councilman for the City of Idaho Falls.

After the meeting was reconvened, this memo from the Public Works Director was presented:

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: AMENDMENT NO. 2 TO ENGINEERING CONTRACT ON
WASTEWATER FACILITIES PLAN

We are attaching hereto a proposed Amendment to our Engineering Contract covering the Sewerage Step I Facilities Plan. This Amendment was anticipated and covered rock test holes for rock profile. The estimated cost for this additional work is \$8,674.00 of which has been included in the Grant. The Public Works Committee has reviewed this Amendment and we are recommending that the Mayor and City Clerk be authorized to sign.

s/ Don

DECEMBER 20, 1979

It was moved by Councilman Sakaguchi, seconded by Erickson, that Amendment No. 2 to the Engineering Contract on the Wastewater Facilities Plan be approved and the Mayor and City Clerk be authorized to sign the Amendment. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: HOLLIPARK AGREEMENT TO PAY

The owners of the Hollipark Addition owe the City \$30,342.62 as their share of off-site improvements. They have asked that their Annexation Agreement be modified to give them more time to pay. The attached Agreement has been arrived at by negotiation with the owners and provides for monthly payments with the final payment to be made on or before July 31, 1981. We request the Council to approve this arrangement and authorize the Mayor and City Clerk to sign for the City.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Clark, that the Agreement be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison
SUBJECT: SPILLWAY GATES AND HOISTS – CHANGE ORDER NO. 3

International Engineering Company, Inc. (IECO) has recommended that a Change Order be issued to Neyrpic, Inc. with respect to the Upper Power Plant Spillway Gates. Because each of the spillway gates for Dam No. 1 is 150 feet long and because the site will be unattended, two changes are contemplated. The changes are:

- 1) A dual hydraulic oil pipe system would allow for gate operation if one system failed. Since each gate is 150 feet long with a hydraulic ram located at mid river, access for repair is difficult unless river flows are ideal. The dual system would allow for scheduled maintenance in the event of one piping failure.

DECEMBER 20, 1979

- 2) A locking valve system would prevent persons unauthorized from changing valve positions. This is of concern because the site is unattended, and damage to the gates could occur if the hoists are not operated properly. An out-of-synch light and horn will be provided to assure that the hydraulic dams operate in unison.

The Electric Division recommends favorable consideration of this change order in the amount of \$19,430.00.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Erickson, that the Change Order be approved as described. Roll call as follows: Ayes, 6; No, none; carried.

Also, from the Electrical Engineer, came this memo:

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: CHANGE ORDER NO. 1, UPPER PLANT DAM NO. 1

International Engineering Company, Inc. (IECO) and the Electric Division recommends Council consideration of a positive change order for Dam No. 1 at the Upper Plant. The change order will be issued to H-K Contractors, Inc. and is the result of a difference in the actual foundation elevation and that elevation shown in the contract documents.

Upon demolition and excavation, good foundation material was found to be an average of about three (3) feet below the expected grade. Additional rock removal and concrete placement, composes the largest share of the cost associated with this change order. Additional quantities of earth and rock at the abutments was also removed and will have to be relocated which contributes to extra cost.

The estimated total cost of this change order is \$571,423. If approved, the new contract price will be \$2,115.923.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Hovey, that Change Order No. 1 at the upper dam be approved as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Electrical Engineer, came this memo:

City of Idaho Falls
December 19, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: UTAH POWER & LIGHT CUSTOMER EXCHANGE

DECEMBER 20, 1979

The City recently annexed the intersection of Lincoln and Woodruff. The traffic signal at this intersection is served by Utah Power & Light Company. In accordance with the City, Utah Power & Light Company customer exchange policy, the City may serve this account by making payment to the company of a total of \$1,174.69. Utah Power & Light has agreed to the transfer.

Council consideration of this customer exchange is requested.

s/ Steve Harrison

Councilman Freeman asked who owns the signal at this location. Public Works Director Lloyd answered that the County gave the signal to the City at the time the area was annexed. It was moved by Councilman Wood, seconded by Hovey, that this Utah Power & Light customer be approved as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson presented this memo from the General Services Director and asked the City Clerk to read it aloud:

City of Idaho Falls
December 20, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: SALVATION ARMY LEASE

Attached is a lease agreement between the City of Idaho Falls and the Salvation Army providing for the Salvation Army to lease from the City for the period of one (1) year that property located at 600 South Boulevard and known as the Arts and Crafts Center.

The Salvation Army in leasing this property agrees, among other considerations, to pay the City a monthly amount of \$300.00. This amount is based upon the fair market rental value of the property as determined by the attached appraisal.

It is the recommendation of the General Services Division that the City Council authorize the Mayor and City Clerk to sign this agreement.

s/ Chad Stanger

Councilman Erickson explained that when it was determined that it was not legally correct for a religious organization such as the Salvation Army to use the old library facilities rent free, the General Services Director had been instructed to submit a letter to the Salvation Army requesting them to vacate the building. Erickson said that the Salvation Army officials agreed that they should move and have been trying to make other arrangements for a long time, but have run into difficulties, and so have now requested they be allowed to rent the former Arts and Crafts building on South Boulevard. Erickson continued by saying that the Salvation Army had agreed to pay \$300.00 a month and in exchange for electricity provided by the City, will make and pay all repairs to the premises necessary to bring such premises up to all City Code requirements, before moving in. They will pay heating and other utility costs, maintenance costs, insurance, and return the building to the City in good condition

when the lease expires. Erickson stated, further, that the Salvation had stipulated they wanted an option for extension of the lease, if necessary, after the one year lease expires. The lease provides that upon the exercise of the option to renew the lease for one additional year, the monthly rental will be changed to reflect the percentage change in the consumer cost of living index as calculated by the Bureau of Labor Statistics.

Mayor Campbell asked if the building was being rented for the appraised price and if other organizations had been given the opportunity to rent this facility. Councilman Erickson answered by saying that the building had been appraised by an independent realtor for the \$300.00 a month fee and only one other party had expressed strong interest in renting the structure and this party was unwilling to pay the appraised rental fee.

Councilman Freeman asked if there was any assurance that the Salvation Army would repair and clean up the old library building when they vacate the premises. General Services Director Stanger stated he had been given assurance from the Salvation Army officials that the building would be left in good repair.

Councilman Erickson commended the General Services Division and the legal department for their fine work in this assignment. It was moved by Councilman Erickson, seconded by Sakaguchi, that the Mayor and City Clerk be authorized to sign the lease agreement between the City and the Salvation Army for use of the old Arts and Crafts building on South Boulevard. Roll call as follows: Ayes, 6; No, none; carried.

Mayor Campbell stated that because of the length of time to receive signal lights after an order is submitted, he would like authorization from the Council to order one signal to have on hand.

Councilman Freeman reported that the signal at 1st and Woodruff might be available for use elsewhere while construction of 2 bridges on 1st Street is being completed.

Councilman Sakaguchi stated that the signal would be needed on the detour route during construction of these bridges.

Mayor Campbell said that even if a signal could be borrowed from one area for a period it did not change the need to have one on hand. It was moved by Councilman Clark, seconded by Freeman, that the Mayor be authorized to order a traffic control signal and to request delivery as soon as possible. Roll call as follows: Ayes, 6 No, none; carried.

ORDINANCE NO. 1626

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 10-2-4, CITY CODE OF IDAHO FALLS, IDAHO; REQUIRING THE IDAHO FALLS POLICE DEPARTMENT TO INVESTIGATE CERTAIN PLACES AND SETTING FORTH SUCH CATEGORIES AND PLACES; SETTING FORTH THE DUTIES OF POLICE OFFICERS FOLLOWING SUCH INVESTIGATIONS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Clark, seconded by Freeman, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1627

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 MAURINE N. HANSEN, ILA F. MORTON, LOWELL R. HANSEN, BETTY J. HANSEN, AUDY R. MORTON, RAYMOND MORTON, REED O. HANSEN, CHARLENE C. BURT, JERI M. HANSEN, DOING BUSINESS AS SKYLINE SHOPPING CENTER, THE ADJACENT OWNERS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Freeman, seconded by Clark, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1628

AN ORDINANCE VACATING CERTAIN EASEMENTS WITHIN THE CITY OF IDAHO FALL, IDAHO; PARTICULARLY DESCRIBING SAID EASEMENTS; 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 JERRY S. SHIVELY AND ANN P. SHIVELY, HUSBAND AND WIFE, WILLIAM H. SHIVELY AND JANICE J. SHIVELY, HUSBAND AND WIFE, AND JAMES D. SHIVELY AND JACKIE SHIVELY, HUSBAND AND WIFE, THE ADJACENT OWNERS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Freeman, seconded by Clark, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1629

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 PLANNED DEVELOPMENT, 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 Freeman, seconded by Clark, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1626 (Duplicate)

AN ORDINANCE REPEALING AND RE-ENACTING SECTION 10-2-4, CITY CODE OF IDAHO FALLS, IDAHO; REQUIRING THE IDAHO FALLS POLICE DEPARTMENT TO INVESTIGATE CERTAIN CATEGORIES OF TRAFFIC ACCIDENTS OCCURRING IN CERTAIN PLACES AND SETTING FORTH SUCH CATEGORIES AND PLACES; SETTING FORTH THE DUTIES OF POLICE OFFICERS FOLLOWING SUCH INVESTIGATIONS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Clark, seconded by Freeman, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO.

AN ORDINANCE REPEALING SECTION 9-9-1, CITY CODE OF IDAHO FALLS, IDAHO; MAKING UNLAWFUL THE OBSTRUCTING OF ANY STREET, ALLEY, OR PUBLIC SIDEWALK WITHIN THE CITY OF IDAHO FALLS, IDAHO; AND MAKING UNLAWFUL THE STORAGE, INSTALLATION OR MAINTENANCE OF ANY MATERIAL, VEHICLE, STRUCTURE OR FIXTURE UPON ANY PUBLIC SIDEWALK WITHIN SAID CITY AND PROVIDING FOR EXCEPTIONS; PARTICULARLY SETTING FORTH AS EXCEPTIONS THE STRUCTURES, FIXTURES AND MATERIALS WHICH MAY BE INSTALLED OR MAINTAINED UPON PUBLIC SIDEWALKS AND ESTABLISHING STANDARDS FOR THEIR INSTALLATION AND MAINTENANCE; PROVIDING THAT NOTICE SHALL BE GIVEN TO ALL PERSONS OWNING OR IN CHARGE OF LAND ABUTTING OR ADJOINING ANY SIDEWALK WHERE INSTALLED STRUCTURES OR FIXTURES ARE MAINTAINED UPON SUCH SIDEWALK IN A CONDITION VIOLATING SUCH STANDARDS; REQUIRING SUCH PERSONS TO REMOVE SAID STRUCTURES OR FIXTURES OR PLACE THEM IN COMPLIANCE WITH SAID STANDARDS WITHIN THIRTY (30) DAYS AFTER THE NOTICE IS GIVEN; PROVIDING FOR SERVICE OF SAID NOTICE; MAKING IT UNLAWFUL FOR ANY PERSON RECEIVING SUCH NOTICE TO FAIL OR NEGLECT TO COMPLY WITH THE INSTRUCTIONS THEREIN OR TO VIOLATE ANY PROVISION OF THIS ORDINANCE; PROVIDING FOR THE ISSUANCE OF THIS ORDINANCE; PROVIDING FOR THE ISSUANCE OF CITATIONS TO APPEAR TO VIOLATIONS; FIXING PENALTIES FOR VIOLATIONS; AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

After some discussion, it was moved by Councilman Sakaguchi, seconded by Hovey, that this ordinance be passed on its first reading only to allow for input from Councilmen or other interested citizens before final consideration. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Clark, that the meeting adjourn at 9:35 P.M.

ATTEST: s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor

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