

DECEMBER 6, 1979

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, December 6, 1979, at 7:30 p.m. in the City Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor Tom Campbell; Councilmen Mel Erickson, Jim Freeman, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Velma Chandler, City Clerk; and all other available Division Directors. Absent: Councilman Charles Clark.

Minutes of a Regular Meeting, held November 27, 1979 and a Special Meeting, held December 3, 1979, were read and approved.

The Mayor announced that this was the time and the place to conduct a public hearing, recessed from two previous Council Meetings, to consider a rezoning request for a portion of the Hope Lutheran Church property, and asked Councilman Freeman, as Chairman of the Planning and Zoning Committee 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 6, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING REQUEST - PORTION OF HOPE LUTHERAN CHURCH PROPERTY

Attached is a copy of a rezoning request for a portion of the Hope Lutheran Church property located at the southwest corner of the intersection of 17th Street and Jeppson Avenue. The piece of property involved in this request includes the Church property from 17th Street south to the southerly edge of the parking lot. The petitioner is requesting a rezoning from R-1 to P-B (Professional Business Office Zone).

This matter was the subject of a public hearing held recently by the City Planning Commission. Several adjacent property owners appeared to object at that time. After hearing their testimony, the Planning Commission voted unanimously to recommend approval of the request, inasmuch as the properties to the east, west and to the north of this parcel are now zoned R-3A.

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

s/ Rod Gilchrist

At the request of Councilman Freeman, City Planner Gilchrist spotted the area on a map and further explained that the request was for a very small area where the Church is located and that the developer wanted to remodel the old Church into a professional business office.

Attorney Roger Wright, 1830 Virginia, appeared, representing himself and six other nearby land owners, also present in the Council Chamber, and stated that they were not present to protest the rezoning as requested, but to recommend that the Council postpone action on this request until a development plan of the whole area, including the Church property to the south, could be considered. He said they were concerned because it is not known what exactly is going on in the area and feared any action taken in haste could be almost impossible to correct when the whole area plan is presented.

City Planner Gilchrist said this request was previously presented to the City Council about one month ago and was referred back to the Planning Commission, and after some discussion the Planning Commission felt that this was two separate requests, one for

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rezoning of one parcel of property and another for a proposed planned unit development for the remaining property. Gilchrist stated, further, that during their discussion the Planning Commission felt that the request was a reasonable one and that the P-B zone was proper for the area.

Attorney Wright asked if a planned unit development could be developed in a P-B zone, to which Gilchrist answered in the affirmative. Wright then asked if, at the time the Planning Commission met, they were aware of the planned unit development request. Gilchrist answered that they were fully aware and saw nothing wrong at the time.

During the discussion, it was brought out that the Planning Board was seriously considering recommending to the City Council a change in the Code to permit a planned unit development on smaller tracts than now permitted in the Ordinance.

Mr. John Rollins, 1332 Ricks, appeared briefly and asked that if at such a time the Planning Commission might consider revising the PUD Section of the Zoning Ordinance, would the nearby property owners be advised, and if said Ordinance was revised, could the developer then proceed. Gilchrist answered both these questions; stating that the same mailing list would be used as was previously used to notify the property owners and that two public hearings would be required, one by the Planning Commission and one by the City Council, before the area could be developed.

There being no further comment, it was moved by Councilman Freeman, seconded by Sakaguchi, that the recommendation of the Planning Commission be upheld and the area be rezoned from R-1 to P-B. Roll call as follows: Ayes, 4; No, 1; carried. Councilman Hovey voting no.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider a rezoning request on a portion of Lot 1, Block 3, Westgate Addition, Division No. 1. The City Clerk read this memo from Building Administrator Gilchrist:

City of Idaho Falls
December 6, 1979

MEMORANDUM

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

Attached is a copy of a petition requesting rezoning of the above-described property from R-3A to C-1. This property was recently the subject of a public hearing held by the Planning Commission. At that meeting, the Planning Commission recommended, by a vote of five to three, the rezoning request be denied.

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

s/ Rod Gilchrist

Councilman Freeman stated that there were some problems that needed to be corrected before action could be taken on the request. Therefore, it was moved by Councilman Freeman, seconded by Sakaguchi, that this hearing be recessed until the next regularly scheduled Council Meeting on December 20th, 1979. Roll call as follows: Ayes, 5; No, none; carried.

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The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider a request for a variance as more fully explained by this memo from the Building Administrator:

City of Idaho Falls
December 6, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR VARIANCE - TEMPORARY PLACEMENT OF
MOBILE HOME

Attached is a copy of a variance submitted by Beth Herbert requesting temporary placement of a mobile home on Lots 1 through 4, Block 2, Dwight's Addition. This property is located at the southwest corner of West Elva and North Lee.

The reason for the request as stated in the application, is that both parents reside in the existing home located on this property. They are both 84 years of age and unable to care for themselves. They are requesting the mobile home to be placed adjacent to the existing house temporarily for a daughter to live in so that she can take care of them for as long as needed.

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

s/ Rod Gilchrist

Councilman Freeman stated that he felt this was a very reasonable request but, in view of the Council's fear of setting a precedent in allowing variance of this type, he had talked to Mrs. Herbert and learned that other arrangements could be made. Therefore, it was moved by Councilman Freeman, seconded by Sakaguchi, that this variance request be respectfully denied. Roll call as follows: Ayes, 5; No, none; carried.

Noting the presence of several Mountain Bell Company employees, the Mayor asked the City Clerk to read this letter:

MOUNTAIN BELL
November 13, 1979

TO: Mr. Thomas V. Campbell
Mayor, City of Idaho Falls

Dear Mayor,

This letter is in regards to the unsafe traffic conditions that exists at the intersection of North Boulevard and Science Center Drive.

Since the increase in vehicular traffic due to the opening of the new Willow Creek Building, through traffic on Science Center Drive has made crossing the intersection a very dangerous and hazardous undertaking. It takes approximately 5 to 10 minutes of waiting time per vehicle to successfully cross

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or enter the intersection. There have been many "near misses" at this intersection.

We have discussed the problem with Mr. Turner of the Public Works Department. He mentioned that there were no plans to conduct a traffic study or place a traffic control signal.

We suggest that some action be taken before there is a serious accident at the location. Eliminating the left turn lane on the east side of the intersection would help the situation.

Anything your office could do to improve on a very dangerous condition would be appreciated.

If you have any questions please contact Don Wilkerson and Larry Bergmann at these respective phone numbers. 523-5395 or 523-5263.

Sincerely,

s/ Don Wilkerson
Manager-Network Distribution

s/ Larry Bergmann
Manager-Network Distribution

s/ Chuck Dearborn
Customer Service Manager

s/ Dick Rains
Customer Service Manager

Also, at the request of the Mayor, Police Chief Pollock stated that the Traffic Safety Committee reviewed this problem and conducted traffic counts at various hours of the day, but they did not feel that there was sufficient increase in traffic to warrant a full twelve hour count.

Mr. Don Wilkerson, 6698 Albert Lane, appeared briefly to say that, in his opinion, the primary problem was with large trucks having to cross through traffic when making a left hand turn on the west side of the intersection, which holds up traffic. He said they feared that a serious accident may occur when their employees are trying to get to and from work.

Councilman Freeman said that the Traffic Safety Committee did not feel there was sufficient justification at this time for a signal light.

Councilman Erickson asked if an actuated light at busy hours would be sufficient and asked the price for such a signal. Electrical Engineer Harrison said it would cost fifteen to twenty thousand to install such a signal light.

Mr. Larry Bergman, 1854 Camrose, appeared briefly to state that if the last traffic count was made in February, he felt another one should be made. Police Chief Pollock said the last one was made the later part of November.

Councilman Erickson stated he felt there was definitely a traffic hazard as the visibility is very poor at this location.

It was moved by Councilman Freeman, seconded by Wood, that this matter be referred back to the Traffic Safety Committee and the Mayor, to obtain cost for a signal and for further study and review. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk presented two damage claims in favor of Jean Clark and William Shamel. It was explained that these were forwarded to the City's liability insurance carrier on November 29th and December 3rd respectfully, without formal Council approval. It was moved by Councilman Hovey, seconded by Erickson, that the action of the City Clerk in forwarding both these claims be ratified. Roll call as follows: Ayes, 5; No, none; carried.

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<u>FUND</u>	<u>SERVICE AND MATERIALS</u>	<u>GROSS PAYROLL</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$628,044.69	339,956.38	\$968,001.07
Street Fund	\$26,959.59	19,622.62	46,582.21
Airport Fund	\$7,779.74	7,619.63	\$15,399.37
Water & Sewer Fund	\$180,613.06	42,690.43	\$223,303.49
Electric Light Fund	\$316,390.89	68,480.41	\$23,554.95
General	\$27,193.10	23,554.95	\$50,748.05
Recreation	\$1,692.85	2,439.20	\$4,132.05
General Library Fund	\$3,908.21	16,891.64	\$20,799.85
General Reg. Fund	\$205.74	724.51	\$930.25
Bridge - Arterial - Street Fund	\$14,399.98	.00	\$14,399.98
Community Development Fund	\$18,860.97	1,425.60	\$20,286.57
Flood Disaster	\$32,074.21	.00	\$32,074.21
TOTAL FUNDS	\$1,258,123.03	523,405.37	\$1,781,528.40

Councilman Hovey explained all major expenditures. It was moved by Councilman Hovey, seconded by Erickson, that the bills be allowed and the Controller be authorized to issue warrants or checks on the respective funds for their payments. Roll call as follows: Ayes, 5; No, none; carried.

Reports from Division and Department Heads were presented for the month of November, 1979, 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 GROCERY STORE, Albertson's on West Broadway, Buttrey Food Store, Ray's Minit Market; RESTAURANT, B.P.O. Elks Lodge, Bonneville Restaurant, Gas Lampe Pizza Shoppe, Gay Nineties Pizza, Me 'N' Ed's Pizza Parlor; HOTEL, Grand Hotel; BOWLING ALLEY, B.P.O. Elks; DANCE HALL, B.P.O. Elks; PUBLIC CONVEYANCE, C.A.R.T., Inc.; ELECTRICAL CONTRACTOR, Johnson Controls, Whipple Electric, Priest Electric, Max J. Storer Electric, Don's Electric; JOURNEYMAN ELECTRICIAN, Don L. Scarlet, John W. Lundblade, Robert "Jim" Schriener, Walter L. Whipple, Wilford L. Whipple, Wesley J. Whipple, Weldon L. Whipple, Max J. Storer, J. Vernon Priest; CLASS C JOURNEYMAN, GAS FITTING, WARM AIR, Jim Schriener; CLASS D CONTRACTOR, WARM AIR, Whipple Electric; CLASS D JOURNEYMAN, WARM AIR, Walter L. Whipple, Wilford L. Whipple; NON-COMMERCIAL KENNEL, Isaac W. Underwood, PUBLIC RIGHTS OF WAY CONTRACTOR, Asphalt Maintenance Company, Tiger Asphalt, Inc., Ormond Construction Company; PRIVATE PATROLMAN, Douglas A. Bergman, Brent M. Dees, Larry F. Wallace, all with United Security Agency; BEER, CANNED, BOTTLED AND DRAUGHT TO BE CONSUMED ON THE PREMISES, Bonneville Lounge, Jake's, Inc., Me 'N' Ed's Pizza Parlor, Gas Lampe Pizza Shop, Gay Nineties Pizza Parlor, Dusty's, Shakey's Pizza Parlor; BEER, CANNED, BOTTLED TO BE CONSUMED ON THE PREMISES, Skyway Bar, B.P.O. Elks; BEER, CANNED AND BOTTLED NOT TO BE CONSUMED ON THE PREMISES, Seventeenth Street Safeway Store, Yellowstone Avenue Safeway Store, Nave's Conoco, Smith's Food King No. 58, Buttrey Food Store No. 43, Ray's Minit Market, Reed's Minit Market, West Broadway Albertson's No. 145; BARTENDER, Lorie DePue, Robert L. Adler, Mike Kyle, Charles Duncan, Loretta Eaton, Kenneth Top; LIQUOR, Jake's, Inc., Bonneville Lounge, Skyway Bar, B.P.O. Elks No. 1087; PRIVATE PATROL SERVICE, H & H Protective Service Corporation, Tommy L. Huff manager, were presented. It was moved by Councilman Freeman, seconded by Erickson, that these licenses be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 5; No, None; carried.

An Agreement between the City of Idaho Falls and Eastern Idaho Special Services Agency, Inc., was presented:

DECEMBER 6, 1979

**AGREEMENT
RE: RIVERSIDE SENIOR HOUSING**

THIS AGREEMENT made and entered into in duplicate this 6th day of December, 1979, by and between the CITY OF IDAHO FALLS, an Idaho City, hereinafter referred to as "The City", and EASTERN IDAHO SPECIAL SERVICES AGENCY, INC., an Idaho non-profit corporation, hereinafter referred to as "The Agency",

For and in consideration of the mutual covenants hereafter contained, the parties mutually covenant and agree as follows:

1. The City agrees to cancel and forgive the payment of all interest which has accrued, or which may accrue, by the terms of that certain promissory note in the original principal amount of \$65,033.88 dated May 9, 1977, of which the Agency is the maker and the City and the Idaho Falls Local Housing Authority are joint payees.
2. The Agency agrees to pay The City during December, 1979, the balance of the principal amount of said note which is still unpaid, said amount as of the date of this Agreement being \$56,969.88.
3. The Agency further agrees to pay the City in lieu of taxes for governmental services furnished the sum of \$10,000.00, or 10% of the gross income from RIVERSIDE SENIOR HOUSING, whichever is the lesser amount, during each December thereafter.

ATTEST:
s/ Velma Chandler
City Clerk

CITY OF IDAHO FALLS
s/ Thomas Campbell
Mayor

EASTERN IDAHO SPECIAL SERVICES AGENCY, INC.

ATTEST:
s/ Stark R. Johnson
Secretary

s/ Leo R. Clawson

(SEAL)
s/ Jack T. Viggers
Executive Director

Idaho Falls Local Housing Authority created pursuant to the provisions of Chapter 19, Title 50, Idaho Code, consents to all of the terms of the above agreement, acknowledges that the principal amount due on said note should be paid to The City as its sole property, and joins in the Agreement in all respects.

DATED this 6th say of December, 1979.

IDAHO FALLS LOCAL HOUSING AUTHORITY

s/ John T. Homer
Chairman

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It was moved by Councilman Hovey, seconded by Erickson, that the Agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Clerk was presented:

City of Idaho Falls
November 27, 1979

MEMORANDUM

TO: The Honorable Mayor and City Council
FROM: Velma Chandler, City Clerk

Between now and the end of the year, we anticipate receiving many applications for license renewals. In some instances, particularly those who apply for beer and liquor licenses, the applicants are anxious to receive their licenses as quickly as possible. Therefore, we request that the City Council authorize the City Clerk to issue all license renewals between now and January 1st as soon as they are approved by the appropriate Division Director, to be ratified by the Council at a regular Council Meeting.

s/ Velma Chandler

From the Building Administrator, came this memo:

City of Idaho Falls
December 6, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: PRE-APPLICATION – 1980 SMALL CITIES PROGRAM

Attached is a copy of a resolution authorizing the Mayor to sign and submit to HUD, the 1980 Pre-Application for the "Small Cities Program". This grant, if approved, would provide to the City, \$1.5 million over a three-year period. These funds are proposed to be used primarily for street construction, housing rehabilitation, facilities for the handicapped and some additional work at the Senior Citizen's Center.

This office respectfully requests the Mayor and Council approve the resolution and authorize submittal of this pre-application.

s/ Rod Gilchrist

The foregoing memo served to introduce this resolution:

RESOLUTION (Resolution No. 1979-18)

(SUBMISSION OF A PRE-APPLICATION TO
THE OFFICE OF HOUSING AND URBAN
DEVELOPMENT FOR 1980 SMALL CITIES
PROGRAM)

DECEMBER 6, 1979

WHEREAS, the City of Idaho Falls is submitting a Pre-application to the Office of Housing and Urban Development for a Small Cities grant, and

WHEREAS, the Citizens Advisory Committee for Housing and Urban Development has prepared and followed a written Citizens Participation Plan that meets the requirement of 24 CFR 570.431(C), and

WHEREAS, citizens have had the opportunity to participate in the determination of priorities in community development and housing needs, and

WHEREAS, adequate notices of public hearings have been provided as required by the written plan,

NOW, THEREFORE, BE IT RESOLVED:

That the City of Idaho Falls shall submit said Pre-application , and that the Mayor, as Chief Executive Officer, be empowered to sign the necessary forms for submittal of this Pre-application.

PASSED BY THE City Council and APPROVED by the Mayor this 6th day of December, 1979.

ATTEST:
s/ Velma Chandler
City Clerk
(SEAL)

s/ Thomas Campbell
Mayor

Councilman Hovey explained that if this grant were approved, \$30 thousand would be set aside for facilities for handicapped persons; \$15 thousand for senior citizen's building and the balance for rehabilitation of streets. It was moved by Councilman Hovey, seconded by Erickson, that the Resolution be adopted and that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

From the General Services Division came this memo:

City of Idaho Falls
November 29, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: MOTOR FUELS AND LUBRICANTS

The General Services Division requests authorization to advertise to receive bids for motor fuels, lubricants and heating oil for the year 1980.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the General Services Director be authorized to advertise for bids for motor fuels, lubricants and heating oil for the year 1980. Roll call as follows: Ayes, 5; No, none; carried.

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

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City of Idaho Falls
December 6, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-80-8, TRAILER MOUNTED ASPHALT RECYCLING PLANT

The General Services Division advertised to receive bids to purchase a Trailer Mounted Asphalt Recycling Plant. No bids were received for this equipment. In the absence of bids the General Services Division is requesting authorization to negotiate the purchase of this equipment.

s/ Chad Stanger

Councilman Erickson explained that, in his opinion, an asphalt recycling plant would be very important to the City and was a fine piece of equipment. It was moved by Councilman Erickson, seconded by Sakaguchi, that the General Services Director be authorized to negotiate for and purchase the equipment as described. Roll call as follows: Ayes, 5; No, none; carried.

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

City of Idaho Falls
November 30, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-80-7, TRANSFORMERS

It is the recommendation of the Electrical and General Services Division that the City Council accept the low bid of RTE Corporations of furnish one (1) 750 KVA Three Phase Padmount Transformer (single voltage) at \$6218.00 and two (2) KVA Three Phase Padmount Transformers (dual voltage) at \$6922.00 each.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the low bid of RTE Corporation be accepted for the transformers and prices as indicated. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was then submitted:

City of Idaho Falls
December 6, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: CONTRACT AWARD

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On December 4, 1979 two bids were received for the replacement of the 10th Street waterline, Holmes Ave. to N.W. Bonneville Drive, as follows:

H-K Contractors, Inc.	\$138,949.50
O & F Construction	159,024.00
Engineer's Estimate	148,234.00

These bids have been checked and would recommend the City award a contract to the low bidder, H-K Contractors, Inc., in the amount of \$138,949.50.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the low bid of H-K Contractors be accepted in the amount of \$138,949.50 as recommended. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor welcomed Messrs. Earl Chapple, representing the Parks and Recreation Department, and Chris Larsen, representing the Fire Department, and thanked them for their attendance this night.

Councilman Sakaguchi introduced the following Resolution:

EXTRACT COPY OF THE MINUTES OF A REGULAR
MEETING OF THE CITY COUNCIL OF THE CITY OF IDAHO
FALLS, IDAHO, HELD THURSDAY, DECEMBER 6, 1979,
AT THE HOUR OF 7:30 O'CLOCK P.M.

STATE OF IDAHO)	
COUNTY OF BONNEVILLE)	RESOLUTION OF INTENTION
CITY OF IDAHO FALLS)	L.I.D. NO. 54

The City Council of the City of Idaho Falls, Bonneville County, State of Idaho, met in a regular meeting on Thursday, the 6th day of December, 1979, at the hour of 7:30 o'clock P.M. at the regular meeting place of the City Council Chambers at 140 South Capital Avenue in Idaho Falls, Idaho, due legal and timely notice of said meeting having been served upon the members as required by law and the rules and ordinances of said City.

On Roll Call, the following members, constituting a quorum, were present:

Mayor:	Thomas Campbell
Councilman:	Jim Freeman
Councilman:	Paul Hovey
Councilman:	Sam Sakaguchi
Councilman:	Ralph Wood
Councilman:	Mel Erickson

ALSO PRESENT:

City Clerk:	Velma Chandler
City Attorney:	Art Smith

ABSENT:

Councilman: Charles Clark

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Councilman Sakaguchi introduced the following Resolution in writing and moved its adoption:

RESOLUTION NO. 1 (Resolution No. 1979-19)
L. I. D. NO. 54

A RESOLUTION DECLARING THE INTENTION OF THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, TO CONSTRUCT, EXTEND AND PURCHASE 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 THE DISTRICT TO BE CREATED; TO CREATE LOCAL IMPROVEMENT DISTRICT NO. 54 FOR IDAHO FALLS, IDAHO, FOR THE PURPOSE OF MAKING AND ACQUIRING SAID IMPROVEMENTS; TO DEFRAY THE COSTS AND EXPENSES OF SAID DISTRICT AND THE COST AND EXPENSES OF SAID IMPROVEMENTS BY SPECIAL ASSESSMENTS LEVIED UPON AND AGAINST ALL THE LOTS AND LANDS INCLUDED WITHIN THE DISTRICT TO BE CREATED ACCORDING TO A SQUARE FOOT METHOD OF ASSESSMENT AND IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; DECLARING SAID IMPROVEMENTS TO BE ORIGINAL; GIVING THE KIND AND CHARACTER OF SAID IMPROVEMENTS AND THE ESTIMATED COST THEREOF AND OF THE EXPENSES OF SAID DISTRICT; AND STATING THAT ALL OF THE COSTS AND EXPENSES OF THE IMPROVEMENTS AND THE DISTRICT WILL BE PAID FROM SUCH ASSESSMENTS; FIXING THE TIME WHEN PROTESTS AGAINST SAID IMPROVEMENTS AND THE CREATION OF SAID DISTRICT MAY BE FILED IN THE OFFICE OF THE CITY CLERK AND WHEN SUCH PROTESTS WILL BE HEARD AND CONSIDERED BY THE CITY COUNCIL; AND PROVIDING FOR GIVING NOTICE THEREOF.

WHEREAS, the City Council of the City of Idaho Falls, Idaho, deems it for the best interests of the City to construct, extend and purchase storm sewers and conduits for drainage with inlets or outlets, manholes and catch basins and all other storm sewer appurtenances necessary to surface drain the land within the district to be created, which is hereinafter particularly described; and to create Local Improvement District No. 54 for the City of Idaho Falls, Idaho, for the purpose of making such improvements; and

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WHEREAS, the estimated total cost of said district and of said improvements is \$86,075.00, all of which sum is to be paid from special assessments to be levied upon lots and lands within said district;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO, AS FOLLOWS:

Section 1. The City of Idaho Falls, Idaho, does hereby declare its intention to construct, extend and purchase 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 the district to be created, and for that purpose to create and establish Local Improvement District No. 54 for the City of Idaho Falls, Idaho, comprising all of the land benefited by such improvements. That the boundary of said proposed district is set forth hereinafter, as well as the legal description of the lots and lands therein. That the entire proposed district is situated within the City of Idaho Falls, Bonneville County, Idaho, and all Block and Lot descriptions refer to recorded plats on file in the Recorder's Office, Bonneville County, Idaho.

**BOUNDARY OF LOCAL IMPROVEMENT DISTRICT NO. 54
FOR IDAHO FALLS, IDAHO**

BEGINNING at the West ¼ Corner of Section 28, T. 2N., R. 38, E.B.M. and running thence along the West line of said Section 28 N 0°02'47" E 1173.02 feet; thence S 89°04'57" E 152.51 feet to the Southeast Corner of Lot 2, Block 1 of Woodruff Park Addition No. 1; thence N 0°55'03" E 147.13 feet; thence S 89°29'42" E 536.11 feet to the Southwest Corner of Lot 11, Block 2 of the Lorin C. Anderson Addition; thence N 51°16'59" E 168.90 feet to the West right-of-way line of Woodruff Avenue; thence S 89°29'42" E 80.00 feet; thence S 0°57'27" W 106.80 feet; thence S 89°29'42" E 120.00 feet; thence S 0°30'18" W 154.24 feet to the Centerline of Parley Street; thence S 89°29'42" E along said Centerline 153.67 feet to the Centerline point of intersection of Parley Street and Oak Trial Drive; thence S 49°46'22" E 191.20 feet to the Southeast Corner of Lot 1, Block 7, of Woodruff Park Addition No. 2; thence S 0°06'27" E 1041.43 feet to the Centerline of 25th Street; thence S 0°27'10" W 45.00 feet to the South right-of-way line of 25th Street; thence along said South right-of-way line S 89°32'50" E 34.70 feet; thence S 0°27'10" W 129.10 feet to the Southeast Corner of Lot 36, Block 11 of Rose Nielsen Addition No. 10; thence N 89°32'50" W 1097.26 feet; thence N 0°13'56" W 129.11 feet; thence N 89°32'50" W 257.65 feet to the West line of said Section 28; thence along said West line N 0°02'47" W 45.00 feet to the POINT OF BEGINNING containing 43.16 acres.

**LOTS AND LANDS WITHIN SAID DISTRICT NO. 54
ROSE NIELSEN ADDITON NO. 10**

Block 11, Lots 32 to 36, Inclusive

WOODRUFF PARK ADDITION NO. 1

Block 1, Lots 3 to 7, Inclusive
Block 2, Lots 1 to 8, Inclusive
Block 3, Lots 1 to 9, Inclusive

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WOODRUFF PARK ADDITION NO. 2

Block 1, Lots 8 to 11, Inclusive
Block 3, Lots 18 to 27, Inclusive
Block 4, Lots 1 to 10, Inclusive
Block 4, Lot 28
Block 5, Lot 1

Block 5, Lot 28
Block 6, Lots 1 and 2

WOODRUFF PARK ADDITION NO. 3

Block 5, Lots 20 to 27, Inclusive
Block 7, Lots 2 to 9, Inclusive

WOODRUFF PARK ADDITION NO. 4

Block 4, Lots 11 to 18, Inclusive
Block 5, Lots 2 to 9, Inclusive

WOODRUFF PARK ADDITION NO. 5

Block 2, Lots 11 and 12
Block 3, Lots 10 to 15, Inclusive
Block 4, Lots 19 to 24, Inclusive
Block 5, Lots 10 to 15, Inclusive
Block 7, Lots 10 to 12, Inclusive

SECTION 28, TOWNSHIP 2 NORTH, RANGE 38, E.B.M.

Woodruff Avenue – BEGINNING at the Southwest Corner of Lot 11, Block 2, Lorin C. Anderson; thence N 51°16'59" E 168.00 feet; thence N 0°57'27" W 106.80 feet; thence N 89°29'42" W 130.00 feet to the Point of Beginning.

Oak Trail Drive – BEGINNING at the southeast corner of Lot 1, Block 7, Woodruff Park; and running N 89°00'12" W 125.19 feet; thence N 0°59'48" E 76.36 feet; to the Point of Curve of a 19.75 foot radius curve (concave to the southeast whose 20.24 foot chord bears N 31°49'26" E); thence along said curve 21.25 feet; thence S 49°46'22" E 148.23 feet to the Point of Beginning containing 6302 square feet.

Richards Avenue – Lot 9, and that part of Lot 10, Block 2, Woodruff Park Subdivision to the City of Idaho Falls, Idaho, lying west of the following described line: BEGINNING at the Northwest corner of Lot 12, Block 2, Woodruff Park Subdivision and Northeasterly in a straight line to the Northwest corner of Lot 10, Block 2, of said Woodruff Park Subdivision.

Richards Avenue – Lot 10, Block 2, Woodruff Park Subdivision, Division No. 5 to the City of Idaho Falls, Idaho, less that part of Lot 10 lying West of the following described line to wit: BEGINNING at the Northwest Corner of Lot 12 in said Block 2 and running Northwesterly in a straight line to the Northwest Corner of said Lot 10, Block 2.

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25TH STREET – BEGINNING at the West Quarter Corner of Section 28, T. 2N., R. 38, E.B.M., and running S 0°02'47" E along the Section Line 45.00 feet; thence S 89°32'50" E 257.65 feet to the TRUE POINT OF BEGINNING; thence S 89°32'50" E 513.81 feet to the Point of Curve of a 20.00 foot radius curve (concave to the Southwest whose 28.28 foot chord bears S 44°32'58" E); thence along said curve 31.42 feet; thence S 0°27'10" feet; thence N 89°32'50" W 532.26 feet; thence N 0°13'56" W 129.11 feet to the TRUE POINT OF BEGINNING.

Section 2. The kind and character of such improvements are set forth in Section 1 above, and are to be constructed, extended and purchased according to plans and specifications to be filed in the office of the City Engineer on or before the day fixed for hearing protests against the creation of said district and the making of such improvements.

Section 3. The intended improvements are original.

Section 4. The estimated total cost and expenses of said district and of such improvements is the sum of \$86,075.00 which is to be paid wholly from special assessments to be levied upon and against the lots and lands above described.

Section 5. The entire cost and expenses of said district and of said improvements is to be assessed against all lots and lands within said district according to a square foot method of assessment.

Section 6. That Thursday, the 24th day of January, 1980, at 7:30 o'clock P.M. of said day, at Council Chambers of the City Council, 140 south Capital Avenue, Idaho Falls, Idaho, are designated as the time and place when protests against the creation of said district or the making of such improvements will be heard and considered by the City Council, and that written protests against the creation of said district or against the making of such improvements may be filed in the office of the City Clerk on or before the day of said meeting, but not later than the hour of 7:30 o'clock P.M. of said day. The City Clerk is hereby ordered and directed to give notice of the passage of this Resolution, the time within which protests against the proposed creation of said district and against the making of such improvements may be filed, and the date when such protests will be heard and considered by the City Council, all in the manner provided by law.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR
this 6th day of December, 1979.

ATTEST:
s/ Velma Chandler
City Clerk

s/ Thomas V. Campbell
Mayor

Councilman Hovey seconded the adoption of Resolution No. 1, declaring the intention of the City Council of the City of Idaho Falls, Idaho, to create Local Improvement District No. 54, and the same, on being put to a vote, was _____ carried by the affirmative vote of the Councilmen present, the vote being as follows:

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Councilman: Melvin Erickson	Voted:	Aye
Councilman: Jim Freeman	Voted:	Aye
Councilman: Paul Hovey	Voted:	Aye
Councilman: Sam Sakaguchi	Voted:	Aye
Councilman: Ralph Wood	Voted:	Aye
Councilman: Charles Clark	Absent	

ORDINANCE NO. 1623

AN ORDINANCE TO BE KNOWN AS "THE BURGLARY AND ROBBERY ALARM ORDINANCE"; PROVIDING DEFINITIONS OF WORDS TO BE USED THROUGHOUT THE ORDINANCE; SETTING FORTH REQUIREMENTS OF ALARM USERS PERMITS; PROHIBITING CERTAIN INTERCONNECTION RELATIVE TO AUTOMATIC DIALING DEVICES; PROVIDING FOR REVOCATION OF A PERMIT IN THE EVENT OF FOUR OR MORE FALSE ALARMS; PROVIDING CONFIDENTIALITY RELATIVE TO INFORMATION SUBMITTED IN COMPLIANCE WITH THIS ORDINANCE; PROVIDING PENALTIES FOR THE VIOLATION OF THE ORDINANCE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

Chief Pollock noted that said ordinance was patterned after Multnomah County in Oregon and, after checking other systems, this was considered to be the best working systems for the City of Idaho Falls. The foregoing ordinance was presented in title. It was moved by Councilman Freeman, 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, 5; 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, 5; No, none; carried.

ORDINANCE NO. 1624

AN ORDINANCE REPEALING SECTIONS 4-1-1 THROUGH AND INCLUDING 4-1-17, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; RE-ENACTING SECTIONS 4-1-1 THROUGH 4-1-17, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; CREATING OFFICES WITHIN THE POLICE DEPARTMENT; PROVIDING FOR APPOINTMENT OF OFFICERS AND MEMBERS; REQUIRING SUPERVISION OF MEMBERS OF POLICE DEPARTMENT BY CHIEF OF POLICE; SETTING FORTH THE DUTIES OF POLICE OFFICERS; SETTING FORTH REQUIREMENTS OF

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UNIFORM; PROVIDING FOR REPORTS TO BE MADE BY POLICE OFFICERS; PROHIBITING CERTAIN CONDUCT OF POLICE OFFICERS; PROVIDING FOR COMPENSATION OF POLICE OFFICERS; SETTING FORTH WHEN POLICE OFFICERS MAY MAKE ARRESTS; SETTING FORTH DUTIES OF CHIEF OF POLICE REGARDING UNLICENSED BUSINESSES; PROVIDING FOR OATHS OF MEMBERS OF POLICE DEPARTMENT; PROVIDING FOR APPOINTMENT OF SPECIAL POLICE OFFICERS BY MAYOR; SETTING FORTH REQUIREMENTS OF POLICE DEPARTMENT TO HOLD UNCLAIMED PERSONAL PROPERTY; REQUIRING ADVERTISEMENT AND SALE OF UNCLAIMED PROPERTY; PROVIDING FOR REIMBURSEMENT TO OWNER; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Freeman, 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, 5; 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, 5; No, none; carried.

ORDINANCE NO. 1625

AN ORDINANCE REPEALING SECTIONS 1-3-1 THROUGH AND INCLUDING 1-3-7, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; REPEALING SECTIONS 2-3-1 THROUGH AND INCLUDING 2-3-5, CITY CODE OF THE CITY OF FALLS, IDAHO; REPEALING SECTIONS 8-3-7, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; RE-ENACTING SECTIONS 1-3-1 THROUGH 1-3-5, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; SETTING FORTH A PENALTY FOR THE VIOLATION OF A PROVISION OF THE CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING FOR THE REVOCATION OF LICENSES GRANTED BY THE CITY OF IDAHO FALLS, IDAHO; SETTING FORTH APPLICATION OF THE PENALTIES FOR VIOLATION OF THE PROVISION OF THE CITY CODE; SPECIFYING LIABILITY OF OFFICERS FOR VIOLATION OF DUTY IMPOSED BY THE CITY CODE; RE-ENACTING SECTION 8-3-7, CITY CODE OF THE CITY OF IDAHO FALLS, IDAHO; PROVIDING A PENALTY FOR PERSONS VIOLATING THE PROVISIONS OF CHAPTER 3 OF THE TITLE VIII OF

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THE CITY CODE OF THE CITY OF IDAHO FALLS,
IDAHO; PROVIDING WHEN THE ORDINANCE SHALL
BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Freeman, 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, 5; 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, 5; No, none; carried.

There being no further business, it was moved by Councilman Wood, seconded by Sakaguchi, that the meeting adjourn at 9:20 P.M., carried.

ATTEST: s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor

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