

NOVEMBER 27, 1979

The Mayor recognized the presence of several scout troops in the Council Chamber and invited one of them, Darin Haller, to come forward and lead all those present in the pledging of allegiance to the flag, after which, upon roll call, the following were found to be present: Mayor Thomas 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, where required.

Minutes of the last Council meeting held November 8, 1979, we read and approved as amended.

The Mayor invited Councilman Hovey to conduct the first item on the agenda. Councilman Hovey stated that the City's obligation for retired employee's life insurance was becoming very expensive for the City and, therefore, the Controller and the Personnel Director had been authorized to solicit bids for new coverage. He noted that fourteen companies had responded, but that the proposals from Washington National Insurance Company, for retired employee coverage, and Liberty Life Company, for term insurance were considered to be the best coverage for the City. Hovey then explained the following memo from the Controller and Personnel Director:

City of Idaho Falls
November 27, 1979

MEMORANDUM

TO: Mayor Thomas Campbell and City Council
FROM: John D. Evans, City Controller
S. Craig Lords, Personnel Director
SUBJECT: GROUP LIFE INSURANCE BID AWARD

At the suggestion of the City Controller and Personnel Director after consulting with the Mayor's Citizen's Advisory Committee on insurance (members - Les Kiel, James Milliken, Al Argyle and Reno Maroon) and Mr. Parker Earl, we recommend the following:

1. That the City Award the Group Term Insurance to Independent Liberty Life at a rate of \$0.33, per thousand; effective January 1, 1980.
2. Award the City's permanent insurance for -
 - A. Retired Lives - To Washington National at \$5,373.34 a month for ten years.
 - B. Active lives - at the employees option based upon rates at a given age.

This is the lowest proposal best suited for the requirements of the City of Idaho Falls.

This recommendation provides the following:

- A. Group term insurance for active employees will be the same as present carrier provides.
- B. Eliminates after ten years the City's current liability for retired lives, which under the current plan the liability continues indefinitely.

- C. Provide the active employee with the option to pre-fund post retirement life insurance or to refuse coverage entirely at retirement. This program will also eliminate a financial burden at retirement for the employee.

Councilman Freeman commended the Committee for doing an excellent job and stated that this proposal would allow for a paid up policy at the time of retirement or that the retiree would have the option to convert to, or purchase a permanent plan, thus protecting his insurability.

Mayor Campbell stated that the amount the City is obligated to pay now could add up to two or three million dollars in a few years under inflated costs.

Councilman Hovey stated that this coverage would allow the employee to have an option on an insurance policy that could, basically, give him the same benefits at the time he retires, without the added expense of monthly premiums after retirement.

Councilman Erickson asked if the legal counsel had reviewed this proposal. Attorney Smith responded by saying he assumed the concern was on committing the City for ten years, and if this was the concern, this would be similar to the Police Retirement fund where the Supreme Court ruled an exception to incurring obligations of this nature.

Mr. Reno Marcon, local insurance agent, said he approved the plan as presented, but stated that the specifications listed for bidding did not ask for this type of proposal and he felt they should be allowed to re-bid.

Councilman Erickson requested that the Controller and Personnel Director explain why they felt this was the best proposal.

Controller Evans said that the original specifications requested a group ordinary plan, but the Committee had changed the works "group ordinary" to "permanent" and, in his opinion, the specifications allowed any company that had a proposal, to present a bid, and he felt the bids being considered for awarding this night were valid bids. Personnel Director Lords stated that it should be understood that the fifty three cent proposal that had been presented would go on indefinitely, as compared to the other proposal ending in ten years.

Mr. Clay Schaat, another local insurance agent, appeared to question whether a ten year program, as provided by Washington National Insurance Company, was included in the specifications for bidding and requested that all companies be allowed to re-bid on that basis. He also stated that the proposed plan would cost forty thousand dollars more and said "why use today's dollars to buy benefits for tomorrow?, save the forty thousand today and use it elsewhere or invest it".

Councilman Hovey asked the City Attorney for a legal opinion on whether or not the invitation for bids as presented, would invite a proposal such as that which was made by the low bidder. City Attorney Smith said that, in his opinion, that invitation for bids mentioned, did invite such a proposal.

Controller Evans then read and explained the invitation for bids as presented to all interested bidders, as follows:

CITY OF IDAHO FALLS
INSTRUCTION TO BIDDERS

INVITATION:

Sealed proposals for furnishing Group Life Insurance Coverage for the City of Idaho Falls as described in "Specifications" will be received at the office of General Services, 140 South Capital Avenue, Idaho Falls, Idaho until 10:30 AM on the 23rd day of October, 1979, and then will be publicly opened and read.

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The ENVELOPE containing your proposal must be sealed, show the invitation to Bid Number and the date and time of opening. If your proposal is mailed the envelope must be addressed as follows:

INVITATION TO BID NUMBER IF-80-1	CITY OF IDAHO FALLS
DATE: October 23, 1979	Office of General Services
TIME: 10:30 AM	P. O. Box 220
	Idaho Falls, Idaho 83401

GENERAL:

The intention of the specifications is to describe the Group Life Insurance in detail to secure bids on comparable coverage.

AWARD OF BIDS:

The City of Idaho Falls reserves the right to accept or to reject any one or all proposals, or to accept the lowest cost proposal best suited to the requirements of the City of Idaho Falls. All proposals will be evaluated according to specifications furnished by the City of Idaho Falls.

GENERAL CONDITIONS

QUESTIONS AND REQUESTED INFORMATION FORMS TO BE USED IN SUBMITTING YOUR BID WILL BE –

I. PROVIDED BY:

CITY OF IDAHO FALLS
JOHN D. EVANS/CONTROLLER
308 C STREET
P O BOX 220
IDAHO FALLS ID 83401
(208) 529-1231

II. ENCLOSURES:

- A. Census data on Active Employees
- B. Census data on Retired Employees
- C. Occupational Breakdown
- D. Premium Breakdown
- E. Claims History
- F. Disability Claim History

III. PURPOSE:

In the past the City of Idaho Falls has offered Group Term Life Insurance after retirement. Due to the highly prohibitive costs of this benefit and yet the continued desire to help City Employees have Paid-Up-Life Insurance upon retirement, Permanent Insurance has been selected as the avenue of solution. Until final enrollment, the total group term and permanent insurance volume cannot be determined. Therefore, please bid on both the Plan One and Plan Two basis.

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Mayor Campbell stated that it was the position of the Council to decide if these proposals, as presented, were valid and then to act accordingly.

Councilman Hovey said that he felt if the company submitting the proposal had been innovative enough to submit a better bid, this should not invalidate the bid. He asked the City Controller the purpose of hiring an insurance consultant, to which the Controller answered that they had hired an insurance consultant and consulted with the Mayor's Insurance Advisory Committee, to try to obtain an over-all input and to show impartiality. There being no further comment, it was moved by Councilman Hovey, seconded by Erickson, that the proposal be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

At this time, Councilman Freeman asked to be excused from the meeting.

The Mayor announced that this was the time and the place, as advertised, to conduct 2 public hearings, as indicated on the agenda, and invited Councilman Clark, as Co-Chairman of the Planning and Zoning Committee to conduct the hearings. Clark, in turn, asked the City Clerk to read this explanatory memo from the Building Administrator:

City of Idaho Falls
November 27, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: RECESSED PUBLIC HEARING – PORTION OF HOPE LUTHERAN CHURCH PROPERTY

A rezoning request for a portion of the Hope Lutheran Church Property from R-1 to P-B was recently recessed by the City Council until this date. This department respectfully requests that this matter be further recessed until the next regular meeting on December 6th, 1979.

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

s/ Rod Gilchrist

Councilman Hovey said that this hearing had previously been recessed and so, in his opinion, the requestor should be notified that this request could not be again recessed after the December 6th meeting. Building Administrator Gilchrist said that it was the City's desire for recessing this night and all concerned parties would be in a position to act at the December 6th meeting. There being no further comment, it was moved by Councilman Clark, seconded by Sakaguchi, that this public hearing be again recessed and presented at the December 6th meeting. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Clark asked the City Clerk to read this memo from the Building Administrator:

City of Idaho Falls
November 27, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR TEMPORARY PLACEMENT OF TWO MOBILE HOMES

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Attached is a copy of a request for a variance to permit temporary placement of two mobile homes on Lots 11 and 12, Block 11, South Park Addition. This property is located on the south side of West 17th Street, adjacent to Idaho Lumber Company's buildings. These trailers are intended to be used as office and computer center for Seismograph Services, Inc. This property and the adjacent property is zoned GC-1 (General Commercial).

This department recommends approval of the request and this matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Gilchrist spotted the area on a map and explained that the mobile homes would be used as portable laboratories for a short period until permanent buildings are constructed. It was moved by Councilman Clark, seconded by Sakaguchi, that the request for a variance to place two mobile homes on the property as described, be approved for a six month period. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Ronald Politowski, 420 Linden Drive, appeared and stated that his purpose of attending the meeting this night was to start discussion of the beer ban in City parks. He said, as evidenced during the recent campaign, there are some bitter feelings on the beer bans. He said that since the City of Idaho Falls banned the consumption of beer in parks, several surrounding towns had also passed similar ordinance. He said that this is creating an unhealthy atmosphere, bitterness and criticism of a lack of responsive government from a large group of people and suggested a compromise by allowing sale of beer in Freeman Park and along the river bank, or issue permits for certain activities. He said he felt this would relieve the pressure and make better feelings in the City.

Councilman Erickson stated that the beer ban action was not a snap judgement decision. He said it was made upon actions within the parks over a 6 or 8 year period, and prompted by the public wanting to use the parks for wholesome fun. He said the Council would listen and consider suggestions from any person to discuss the issue.

Councilman Hovey took exceptions to Mr. Politowski referring to a large group of dissatisfied people over the beer ban. He said he felt that the Council had the support of most of the local residents. He stated that the granting of beer permits would be almost impossible to enforce.

License applications for RESTAURANT, Pot-Pourri Cooking School, Maxine Thompson, Manager, Stardust Restaurant; GROCERY STORE, Jordan Farms, Wallace Evans, Manager, Elm Street Jiffy Mart, Jerold D. Epperly, Manager, Gas 'N Grub, Marvin Olson, Manager, J. H. Boozer Oil and Tire Company, J. H. Boozer, Manager, K.O.A., Thelma Johnson, Manager; ELECTRICAL CONTRACTOR, Schriener Electrical, Heating and Air Conditioning by Robert J. Schriener; CLASS C CONTRACTOR, GAS FITTING, WET HEAT, Jack F. Threlkeld for Home Plumbing and Heating; CLASS D CONTRACTOR, WARM AIR, Wilford Wilcock for Wilford Wilcock Heating; CLASS D JOURNEYMAN, WARM AIR, Wilford Wilcock Heating; APPRENTICE ELECTRICIAN, Caddo Wadsworth with Northwest Electric; MASTER PLUMBER, Jack F. Threlkeld with Home Plumbing and Heating, Mark Goyen with Ramrk Plumbing, Ray Goyen with Ramrk Plumbing; JOURNEYMAN PLUMBER, Ray Goyen with Ramrk Plumbing, Mark Goyen with Remrk Plumbing, Dave Goyen with Ramrk Plumbing, Russ Goyen with Ramrk Plumbing; APPRENTICE PLUMBER, Lee Parsley with Ramrk Plumbing; CONTRACTOR Steve Bailey with Bailey's Electrical Services; LIQUOR, Stardust, Everett G. Jordan, Manager, Samoa Club, Ercel Monson, Manager; BEER, CANNED, BOTTLED AND DRAUGHT TO BE CONSUMED ON THE PREMISES, Pizza Hut, Gerald A. Walter Manager, Stardust, Everett G. Jordan, Manager, Samoa, Ercel Monsen, Manager, Buckhorn Gardens, Bettie E. Lewis, Manager; BEER, CANNED AND BOTTLED NOT TO BE CONSUMED ON THE PREMISES, Elm Street Jiffy Mart, Jerold D. Epperly, Manager, Gas 'N Grub, Marvin L. Olson, Manager, J. H. Boozer Oil and Tire Company, J. H. Boozer,

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Manager, K. O. A., Donald P. Johnson, Manager, Albertson's Food Center, 17th Street, Walter Doyle, Manager, Grandview Exxon, Jay Blair Nave, Manager, Skaggs, Inc., Reid Crosbey, Manager, Albertson's Food Center, Anderson Street, LeRoy Morris, Manager; BARTENDER, Lavona C. Jenkins, Charla Stacey, Philip Guy, Joyce D. Lyman, Bonnie Newman, Michael J. Grisanti, Debra K. Mack, John Lewis, Steven C. Leavitt; MOTEL, Stardust Motor Lodge, Everett G. Jordan, Manager; DANCE HALL, Stardust, Everett G. Jordan, Manager, were presented. It was moved by Councilman Clark, 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.

The City Clerk asked for authorization to publish a legal notice calling for a public hearing to be held on December 6th, 1979, to consider the granting of a variance to permit placement of a mobile home in an R-2A zone. It was moved by Councilman Clark, seconded by Wood, that the City Clerk be authorized to publish the legal notice as requested. Roll call as follows; Ayes, 5; No, none; carried.

The City Clerk noted that in the interest of time, a legal notice was published without formal Council approval, calling for a public hearing this night to consider the placement of two (2) mobile homes in the South Park Addition. It was moved by Councilman Erickson, seconded by Clark, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

Also in need of ratification, according to the City Clerk, was the publishing of a legal notice calling for a public hearing on December 6th to consider a rezoning petition. It was moved by Councilman Clark, seconded by Sakaguchi, that the action of the City Clerk in publishing this legal notice be ratified. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk presented this damage claim:

NOTICE OF CLAIM

TO: VELMA Chandler, Clerk of the City of Idaho Falls, Idaho

NOTICE IS HEREBY GIVEN pursuant to Idaho Code §6-901, et. seq., that the undersigned claims general damages in the sum of ONE HUNDRED THOUSAND & NO/100 (\$100,000.00) DOLLARS, as direct and proximate result of the unlawful arrest and imprisonment of T. Ross Clement by a City employee acting in his capacity as a police officer as and against the aforesaid T. Ross Clement; that without proper cause and/or provocation, said employee, namely: R. L. FISHER, caused such false arrest, false imprisonment and violation of the civil rights of T. Ross Clement, all of such act as aforesaid having been committed within the scope and course of employment of the above said employee on July 26, 1979; that T. Ross Clement resides at 1002 West Elva, Idaho Falls, Idaho 83401, and has resided at such address for more than six months prior to when this claim arose, and the undersigned does make claim against the City of Idaho Falls and its employee and requests that this matter be processed and payment made as herein set forth, M. B. Hiller, P.O. Box 29, Idaho Falls, Idaho 83401, telephone: (208) 522-2350.

Dated this 9th day of November, 1979.

s/ M. B. Hiller
M. B. Hiller, for and in
behalf of T. Ross Clement

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It was explained that, in the interest of time, the foregoing claim was forwarded to the City's liability insurance carrier on November 20th, without Council approval. It was moved by Councilman Hovey, seconded by Erickson, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Also in need of ratification, according to the City Clerk, was the issuance of a liquor catering permit to the Bonneville Lounge. This was issued with the approval of the Chief of Police, but without Council approval. It was moved by Councilman Clark, seconded by Erickson, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

An agreement between the City of Idaho Falls and Rolfe Lines was presented. It was moved by Councilman Hovey, seconded by Erickson, that this agreement be approved subject to the approval of the Controller and Personnel Director and that the Mayor then be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Controller was then submitted:

City of Idaho Falls
November 19, 1979

MEMORANDUM

TO: Mayor Thomas Campbell and City Council
FROM: John D. Evans, Controller
SUBJECT: VISA CARD APPLICATION – CITY'S AMBULANCE SERVICE

Attached are "corporate VISA Card Application and Agreement", and "Certificate of Corporate Resolution to Obtain VISA Card Accommodations", that I am requesting your authorization for the Mayor and City Clerk to sign.

The credit cards will be used by the City's Ambulance Service in lieu of using the petty cash fund for all out of town transports. Due to the increased cost of gasoline and parts, the petty cash fund is no longer adequate.

Twelve cards will be requested and issued to Fire Chief Douglas C. Call and all certified paramedics.

s/ John D. Evans

Councilman Hovey explained that due to increased costs, it is impractical to use the petty cash fund and he felt the VISA card system would be more practical and give a better record of charges. It was moved by Councilman Hovey, seconded by Sakaguchi, that the Controller be authorized to obtain the VISA cards as requested and the Mayor and City Clerk be authorized to sign the application and agreement. Roll call as follows: Ayes, 5; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls
November 13, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: IECO CONTRACT – CHANGE ORDER NO. 6

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A requirement of the Federal Energy Regulatory Commission (FERC) is that the City submit a revised Exhibit "R" within one (1) year after date of issue, i.e. by February 1980.

International Engineering Company has begun work on the revision and the contract for the license application has been closed with the Department of Energy and the consultants.

The scope of the present agreement should be expanded to include the work associated with the Exhibit "R" revision. Estimated cost of the work is \$41,608.

Council consideration of this positive change order is requested.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Hovey, that the Change Order No. 6 on the IECO contract be approved as recommended. Roll call as follows: Ayes, 5; No, none; carried. From the Building Administrator came this memo:

City of Idaho Falls
November 27, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: APPROVAL OF FINAL PLATS – COUNTY PLATS

Attached are copies of two final plats, the Yellowstone Addition, Division Nos. 3 and 4. The property involved is a portion of that commonly referred to as "Happyville". These plats are primarily concerned with establishing existing ownerships and street rights-of-way.

City approval is necessary inasmuch as these plats are located within one mile of the City limits. The City Planning Commission recently reviewed these plats and recommended approval. This department concurs with the Planning Commission's recommendation and this matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Councilman Clark explained that approval of these plats has been pending for some time but development has reached a point where approval can be made.

Attorney Smith asked if all property owners had signed the plats. Building Administrator Gilchrist answered in the affirmative. It was moved by Councilman Clark, seconded by Sakaguchi, that the final plat of Yellowstone Addition, Division No. 3, be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

It was then moved by Councilman Clark, seconded by Sakaguchi, that the final plat of Yellowstone Addition, Division No. 4, be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows; Ayes, 5; No, none; carried.

Also, from the Building Administrator, came this memo:

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City of Idaho Falls
November 27, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: VACATION OF EXISTING EASEMENT – WESTLAND HEIGHTS
ADDITION

This office has received a request to vacate an existing utility easement in Block 4 of Westland Heights. This is located behind the existing shopping center at the northwest corner of Broadway and Skyline Drive. An alternate easement is for the purpose of overhead power lines.

This department recommends the request be granted. This matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

It was moved by Councilman Clark, seconded by Sakaguchi, that the City Attorney be authorized to prepare a vacating ordinance accordingly. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was then presented:

City of Idaho Falls
November 27, 1979

MEMORANDUM

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

We are attaching two copies of a Preliminary Engineering Agreement between the City of Idaho Falls and the Idaho Department of Transportation, Division of Highways, covering the section of Holmes Avenue between Ninth Street and Seventeenth Street. The Agreement requires \$5,000.00 be deposited with the State to cover their costs of preliminary engineering. We would recommend that the Mayor be authorized to sign the Agreements.

s/ Don

The foregoing memo served to introduce this resolution:

R E S O L U T I O N (Resolution No. 1979-17)

WHEREAS, the Idaho Transportation Department, Division of Highways, hereinafter called the State, has submitted a Cooperative Agreement stating obligations of the State and the City of Idaho Falls, Idaho, for the construction of a section of Holmes Avenue (FAM Route 7316) between 9th Street (MP 1.51) and 17th Street (MP 1.00) on 0.51 miles of F.A. Urban System, under Federal Aid Project M-7316(006); and

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WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made to the Federal Aid Highway System when there is Federal participation in the costs; and

WHEREAS, the State cannot pay for any work not associated with the State Highway System; and

WHEREAS, the City is fully responsible for all project costs; and

WHEREAS, it is intended that the project shall be developed and constructed so as to receive Federal Participation;

NOW, THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement for Federal Aid Highway Project M-7316(006) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Cooperative Agreement on behalf of the City.
3. That duly certified copies of the resolution shall be furnished the Idaho Transportation Department, Division of Highways.

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

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

City of Idaho Falls
November 27, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: OUTSIDE THE CITY SEWER AGREEMENT

The Capital Body Shop in the Hodson Addition has asked for sewer service outside the city limits. There is no problem with sewer capacity and there will be no cost to the City. We would recommend approval and that the Mayor be authorized to sign the Outside City Limits Sewer Service Contract.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the Outside-the-City Sewer Service Agreement in favor of Capital Body Shop be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor introduced Attorney Art Smith who then presented the following three ordinances:

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ORDINANCE NO. 1620

AN ORDINANCE REPEALING ORDINANCE NO. 803, ORDINANCES OF IDAHO FALLS, IDAHO, BEING SECTIONS 1-15-1 THROUGH 1-15-21, INCLUSIVE, CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR DIRECT LEGISLATION BY THE PEOPLE OF THE CITY OF IDAHO FALLS BY THE INITIATIVE AND REFERENDUM; SETTING FORTH THE REQUIREMENTS FOR INITIATIVE AND REFERENDUM PETITIONS; PROVIDING FOR EXAMINATION OF INITIATIVE AND REFERENDUM PETITIONS BY CITY CLERK; SETTING FORTH REQUIREMENTS OF SUBMISSION TO POPULAR VOTE BY CITY COUNCIL; PROVIDING FOR SUBMISSION OF PROPOSED ORDINANCES ON COUNCIL'S OWN MOTION; SETTING FORTH FROM OF BALLOT; PROVIDING FOR PUBLICATION OF EVERY PROPOSED OR REFERRED ORDINANCE; PROVIDING PRIORITY REGARDING INCONSISTENT ORDINANCES; SETTING FORTH TIME REQUIREMENTS BETWEEN ELECTIONS ON PROPOSED OR REFERRED ORDINANCE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

Attorney Smith stated that a few changes had been made in the Ordinance since it was presented and passed on its first reading, such as re-wording in some places and the number of persons to sign an initiative or referendum petition and number of days to obtain more signatures if the Clerk finds the petition insufficient. Smith said this is now uniform with the County Ordinance. The foregoing ordinance was presented in title. It was moved by Councilman Erickson, seconded by Wood 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 PROVISION 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. 1621

AN ORDINANCE REPEALING SECTION 10-19-8, CITY CODE OF IDAHO FALLS, IDAHO; RE-ENACTING SECTION 10-19-8, CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING PENALTIES FOR VIOLATIONS OF ANY DULY POSTED PARKING LIMITS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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The foregoing ordinance was presented in title. It was moved by Councilman Clark, 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, 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. 1622

AN ORDINANCE REPEALING SECTION 8-5-4, CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE USE OF REFUSE COLLECTION AND DISPOSAL SYSTEM SERVICES BY RESIDENTS OF THE CITY OF IDAHO FALLS; PROHIBITING USE OF REFUSE CONTAINERS BY PERSONS OTHER THAN THE OWNER OR PERSONS OTHER THAN FOR WHOM THE CONTAINER WAS PROVIDED WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

City Attorney Smith said there is a problem of people hauling in garbage, even from the rural areas, and filling private containers. He said that this ordinance would be difficult to enforce and would be similar to a trespassing situation and suggested that each container be posted as a "private container". The foregoing ordinance was presented in title. It was moved by Councilman Sakaguchi, seconded by Hovey, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to fully and distinctly read on three several days be disposed 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 Erickson, seconded by Hovey, that the meeting adjourn at 9:40 P.M., carried.

ATTEST: s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor

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