

NOVEMBER 8, 1979

Prior to calling the meeting to order, the Mayor acknowledged a group of Cub Scouts present in the Council Chambers, and asked Councilman Wood to introduce them. Councilman Wood then introduced Grant Packer, Pack Leader, and welcomed the group to the meeting this night. The Mayor called upon one of the Scouts, Brian Packer, to come forward and lead all of those present in the Pledging of Allegiance to the Flag, after which he asked for a moment of silence for purposes of meditation. The Mayor then called the meeting to order and, upon roll call, the following were found to be present: Mayor Tom Campbell; Councilmen Mel Erickson, Jim Freeman, Charles Clark, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Also present: Velma Chandler, City Clerk; Simon Martin, Assistant City Attorney, and all other available Division Directors.

Minutes of the last regular meeting, held October 18, 1979, and a Special Meeting held October 30, 1979, were read and approved as amended.

The Mayor recognized the presence of Councilman-elect Wes Deist and congratulated him for being elected in the recent General Municipal Election.

The Mayor also recognized Luella Crandall, who presented each City Official around the Council table with a bottle of apple jelly she made from crab apples picked up in Tautphaus Park.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to review two re-zoning petitions. First to be considered was a request to re-zone the Cedar Gables Plaza area, as more fully explained by this memo from the Building Administrator:

City of Idaho Falls
October 8, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING REQUEST – CEDAR GABLE PLAZA FROM PB TO C-1

A request has been received by this office to rezone the Cedar Gables Plaza subdivision from PB to C-1.

This request has been recently considered at a Public Hearing held by the City Planning Commission. At that time the Commission recommended rezoning as requested.

This department concurs with the Planning Commission's recommendation and is now being submitted to the City Council for your consideration.

s/ Rod Gilchrist

Councilman Freeman then asked Building Administrator Gilchrist to pinpoint the area on a map. Gilchrist stated that the first three items on the agenda were presented by the same developer and were so closely related that he would cover them all at one time. Gilchrist then proceeded to locate each area and explain what the developer has proposed. There were none who appeared to protest to otherwise comment. Therefore, it was moved by Councilman Freeman, seconded by Clark, that the recommendation of the Planning

Commission be upheld and the Cedar Gables Plaza area be re-zoned from PB to C-1. Roll call as follows: Ayes, 6; No, none; carried.

The second re-zoning petition was explained by this memo from the Building Administrator:

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City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING REQUEST – ASHMENT ADDITION, DIVISION NO. 2
FROM R-3 TO C-1

A request has been received by this office to rezone lots 2-6, of the Ashment Addition, Division #2 from R-3 to C-1.

This request was recently considered at a Public Hearing held by the City Planning Commission. At that time the Commission recommended rezoning as requested.

This department concurs with the Planning Commission recommendation and is now being submitted to the City Council for your consideration.

s/ Rod Gilchrist

No protests were registered. Therefore, it was moved by Councilman Freeman, seconded by Clark, that the rezoning request be approved and Lots 2 through 6 of the Ashment Addition, Division No. 2 be rezoned from R-3 to C-1, and the Building Official be directed to incorporate both the foregoing zoning changes on the official Zoning Map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

Annexation proceedings for the unplatted property to be known as Ashment Addition Area was then introduced by this memo from the Building Administrator:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: ANNEXATION & INITIAL ZONING – ASHMENT ADDITION AREA
(UNPLATTED PROPERTY)

Attached is a copy of Exhibit A, the Annexation Ordinance and Annexation Agreement for the above described property.

This matter was recently the subject of a Public Hearing conducted by the City Planning Commission. The developers are requesting Initial Zoning of C-1 and R-3A at the Public Hearing. Some adjacent property owners apparently are objecting to the high density permitted in R3-A Zoning.

In view of those protests the City Planning Commission recommends annexation and initial zoning of C-1 and R-2.

This department concurs with the Planning Commissions recommendation and is now being submitted to the City Council for your consideration.

s/ Rod Gilchrist

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The Annexation Agreement between the City and the developer of Ashment property was then presented. It was moved by Councilman Freeman, seconded by Clark, that the Annexation Agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1618

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (ASHMENT ADDITION AREA PROPERTY)

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.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider the initial zoning of the newly annexed Ashment Addition area.

Mr. David Benton, local engineer representing the developers, appeared to remind the Council that, since the Planning Commission's recommendation was made, the Council has zoned the E.S. Hooper property as R-2A, and stated that the developers were still seeking R-3A zoning instead of R-3 as recommended by the Planning Commission.

Thomas Higgs, representing the owners of the Medical Plaza, appeared briefly. He explained that the letter to advise the Medical Plaza owners of the public hearing on this area had been sent to him and he had been out of town for two months, therefore no one from this association had appeared at the hearing to protest the recommended zoning. He said that he and his associates objected to the C-1 zoning, as their reason in building at this location was to get away from the commercial noise. He stated further that they objected to the Medical Plaza being used as a buffer and would like to see a non-developed area around the Medical Plaza.

Councilman Freeman asked Reed Moss, one of the developers, if the time element was critical or if this hearing could be recessed until the November 27th meeting. Reed Moss stated that, when no one appeared to protest at the Planning Commission hearing, he assumed that the Medical Plaza associates were in accord with what was planned. He stated, further, that the final plat has yet to be presented and he felt that the developers and Mr. Higgs and his associates could work out a satisfactory arrangement.

Councilman Erickson stated that he felt that the developers were offering a fair proposal and that, in his opinion, the hearing should not be recessed.

Mayor Campbell stated that he felt this was a development agreement problem and should be worked out by the developers.

There being no further protests or comment, it was moved by Councilman Freeman, seconded by Clark, that the recommendation of the Planning Commission be

upheld and the Ashment Addition area be zoned C-1 and R-2 as indicated, and the Building Official be directed to incorporate said zoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

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Next to be considered was Westfield Plaza, Division No. 3, as explained more fully by this memo from Building Administrator Gilchrist:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: WESTFIELD PLAZA, DIVISION NO. 3 – FINAL PLAT, ANNEXATION AND INITIAL ZONING

Attached is a copy of the final plat of the annexation and initial zoning of the above described property.

This matter was subject to the recent hearing held by the City Planning Commission. At that time they recommended approval of the final plat and annexation to the City and initial zoning of C-1.

This department concurs with the Planning Commissions recommendation and is now being submitted to the City Council for your consideration.

s/ Rod Gilchrist

A final plat of the above described property was then presented. It was moved by Councilman Freeman, seconded by Clark, that this plat be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

An Annexation Agreement between the City and the developer of Westfield Plaza, Division No. 3 was then presented. It was moved by Councilman Freeman, seconded by Clark, that the Annexation Agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1619

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (WESTFIELD PLAZA DIV. #3)

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.

The Mayor announced that this was the time and the place, as advertised, to consider the initial zoning of the newly annexed Westfield Plaza, Division No. 3.

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There were none who appeared to protest or otherwise comment. It was moved by Councilman Freeman, seconded by Clark, that the recommendation of the Planning Commission be upheld and the Westfield Plaza, Division No. 3 be zoned C-1, and the Building Official be directed to incorporate said zoning on the official zoning map located in his office. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, to 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
November 8, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR USE VARIANCE – R-3A ZONE

Attached is a copy of a request for a Use Variance submitted by Ferrace Cooper.

This property is located at the west corner of the intersection of East 17th Street and St. Clair Road. Mr. Cooper presently operates a beauty salon at this location which is a permissible use in the R-3A zone. He is requesting the Use Variance in order to enable him to move his dress shop into a portion of the existing building.

The petitioner originally requested a rezoning of the property to C-1 which would have permitted the retail operation at this location. At the hearing held by the City Planning Commission, several people appeared to protest the zoning. Those protests were based on potential future use in the C-1 zone, not the use proposed by Mr. Cooper. On the basis of these protests the Planning Commission recommended denial of the request. Based on this action by the Planning Commission, Mr. Cooper withdrew his zoning request and is now requesting a Use Variance be granted for the specific use of operating a retail dress shop at this location.

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

s/ Rod Gilchrist

Ferrace Cooper, the petitioner, appeared briefly and stated he felt that the Planning Commission's recommendation was unfair and he could not understand their objection as all of the nearby property owners were in favor of his plans and his property was surrounded by commercial zoning.

Dr. Kenneth King, 1449 E. 17th Street, appeared to say that he, as a neighbor, supported Mr. Cooper's variance request and stated he felt the Council should support business ventures, not tear them down.

This letter of protest to the Cooper variance request was presented:

8 November 1979

William R. Gilchrist
Director, Planning & Zoning Division
City of Idaho Falls

NOVEMBER 8, 1979

Dear Rod,

Paul and I would like to register a formal complaint against the variance request of one Farris Cooper regarding the property at 1495 E. 17th Street.

The City has had the foresight to zone that section of 17th Street R-3A and we feel very strongly that with a large shopping center directly across the street already Mr. Cooper could avail himself of rental space in that complex for such a business as a dress shop.

I would hate to see 17th Street become another hit and miss business section of our City. We frankly have some difficulty already viewing the present growth near 17th Street and St. Clair. At some point we have to, as a City interested in not only beauty but planned growth, really stand by the zoning principals already established.

I regret we will be unable to personally attend the hearing on this variance and request that our views be entered as part of the formal testimony.

With best regards,
s/ Anne and Paul Voillegue
1425 E. 16th Street
Idaho Falls, Idaho 83401

Councilman Freeman stated that he agreed that the dress shop would be a compatible use for the area but that he had to recommend denial on the grounds that it would be precedent setting and might cause problems with future requests. It was moved by Councilman Freeman, seconded by Clark, that this variance request be respectfully denied. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of October, 1979, having been properly audited by the Fiscal Committee, were presented. The City Clerk read aloud all fund totals for salaries, materials and services, as follows:

<u>FUND</u>	<u>SERVICE AND MATERIALS</u>	<u>GROSS PAYROLL</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$555,644.37	340,983.15	\$896,627.52
Street Fund	\$75,367.05	19,703.92	\$95,070.97
Airport Fund	\$5,684.33	7,488.86	\$13,173.19
Water & Sewer Fund	\$207,337.59	42,453.03	\$249,790.62
Electric Light Fund	\$781,215.79	67,456.58	\$848,672.37
General	\$13,210.68	22,734.72	\$35,945.40
Recreation	\$3,697.37	2,994.19	\$6,691.56
General Library Fund	\$3,917.42	16,916.50	\$20,833.92
General Reg. Fund	\$202.93	724.52	\$927.45
Bridge - Arterial - Street Fund	\$8,407.47	.00	\$8,407.47
Community Development Fund	\$45,945.27	1,387.20	\$47,332.47
TOTAL FUNDS	\$1,700,630.27	\$522,842.67	\$2,223,472.94

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 payment. Roll call as follows: Ayes, 6; No, none; carried.

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Reports from Division and Department Heads were presented for the month of October, 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 RESTAURANT, Skyline Lanes and Café, transfer from Katz Nukaya to Mark Hendrickson; My Mom's, transfer from Joy's Snack Shack, Elsie Solis, owner; JOURNEYMAN ELECTRICIAN, Nathan Short; APPRENTICE ELECTRICIAN, Jeff G. Smith with Home Electric, Darrell Martin with J&H Electric; PLUMBING CONTRACTOR, Thompson Plumbing; TAXI OPERATOR, Dean Williams with Yellow Cab Company; PRIVATE PATROL SERVICE, American Protective Services, Inc., also dba American Patrol Service, Elton Lynn Call, owner; PRIVATE PATROLMAN, Ray E. Cooper, Richard J. Smith; BARTENDER, Gail LePage, LaVona Jenkins, Michael Edwards, Ann Barney, Bill Hiatt, Jr., Molli Ruddell, Joseph Watts, Donniel Fry, Delight Packer, Caroline Heiselt, John Giles, DeeWayne Hargrove, Robin Brewer; BEER, CANNED, BOTTLED AND DRAUGHT TO BE CONSUMED ON THE PREMISES, transfer from Katz Nukaya to Mark Hendrickson, Skyline Lanes and Café; were presented. It was moved by Councilman Clark, seconded by Freeman, that these licensee be granted, subject to the approval of the appropriate Division Director where required. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk then presented a non-commercial kennel license application carrying a recommendation from the Police Chief that it not be granted. It was moved by Councilman Clark, seconded by Freeman, that the recommendation of the Police Chief be upheld and this license be respectfully denied. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk reported that she had issued, in the interest of time, two liquor catering permits, in favor of LeBaron's and Bonneville Lounges, with the approval of the Police Chief but without formal Council approval. It was moved by Councilman Clark, seconded by Freeman, that the action of the City Clerk in issuing these permits be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Also, according to the City Clerk, a Private Patrol Service License had been issued on October 24th with the approval of the Police Chief but without Council approval. It was moved by Councilman Clark, seconded by Freeman, that this action also be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk then asked for ratification of her publishing a legal notice calling for a public hearing, this night, to consider a request for a variance to permit a dress shop in an R-3A zone. It was moved by Councilman Freeman, seconded by Clark, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Three damage claims were presented by the City Clerk, as follows:

NOTICE OF CLAIM

TO: CITY OF IDAHO FALLS

NOTICE IS HEREBY GIVEN of a claim, against the City of Idaho Falls in favor of Louise Holland for damages sustained in a fall at the Idaho Falls Municipal Airport on September 3, 1979.

This claim is filed pursuant to Idaho Code 6-901 through 6-928, and Idaho Code 50-219:

- A. Conduct and Circumstances Which Brought About the Injury: the maintenance of an unsafe and dangerous walkway leading from the unloading area through the construction site to the terminal

building by allowing rockfill to be on said walkway resulting in an uneven and dangerous surface; failure to properly warn people using the walkway of the dangers.

Idaho Falls, Idaho 83401

Gentlemen:

NOVEMBER 8, 1979

Our Insured: Dale A. or Kathleen J. Jose
Policy No.: M 720842
Date of Loss: 9/14/79

We have completed our investigation of the accident through which our insured's property was damaged. Our investigation reveals it was the negligence of your employees running water from a fire hydrant across the road on First Street and Woodruff Avenue, without any help with traffic that caused this accident.

Under the provisions of our policy, we have a right to our insured's right of recovery to the extent of our payment. Therefore, we ask that you immediately reimburse us for the damage resulting from this accident in the amount of \$2,150.89.

If you are insured, please report this claim to your insurance company for their prompt attention. At the same time, please write the name and address of your company and the number of your policy on the bottom of this letter and return it to us so that we may contact them.

If you are not insured, please telephone me at 523-0246.

Sincerely,
SAFECO INSURANCE CO.
s/ Dave Scoresby
Idaho Falls Claims

NOTICE OF CLAIM TO
CITY OF IDAHO FALLS AND COUNTY OF BONNEVILLE
IDAHO FALLS, IDAHO

TO: City of Idaho Falls and
County of Bonneville
Law Enforcement Building
Idaho Falls, Idaho

Pursuant to the provisions of the Idaho Tort Claim Act, Chapter 9, Title 6, of the Idaho Code, the following claim is hereby made:

Claimant:
Joyce Just

Address:
Box 431
Cornville, Arizona (From September, 1979, to present)
394 Saturn
Idaho Falls, Idaho 83401
(From September, 1979, to a time prior to six months before the time the claim arose.)

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Circumstances:

That on July 9, 1979, the claimant appeared before the Honorable Mildred McClure on a charge of a criminal offense and was ordered to spend 24 hours in the Bonneville County Jail. The Claimant presented herself to the jailer, pursuant to such order, and was required to deposit all personal belongings, including all items of jewelry, while so confined.

That the jewelry so deposited included the following:

- 1 - gold chain with small diamond in the middle
- 1 - yellow gold chain, small links
- 1 - yellow gold bracelet, small links (matching)
- 1 - yellow gold chain, large links
- 1 - pair gold looped earrings
- 1 - pair gold earrings with small stone of sapphire

That said jewelry had a value of in excess of Six Hundred Dollars (\$600.00 reasonable market value).

That upon being released from confinement, the Claimant made a request for the return of her personal items, including said jewelry, and the jailer failed, refused and neglected to return said jewelry items to the Claimant; that the jailer could not locate the property of the Claimant and declared that it was misplaced or lost and asked for time to locate it. The Claimant has contacted the officers in charge, several times, with no success and with no return of her property and with no indication that the department is making any investigation or search therefore.

That the Law Enforcement Department was careless and negligent in losing said items of personal property, which the Claimant was not allowed to keep and which the department required that she turn to them.

Person Involved:

The persons known to the claimant who were involved were Sergeant Neidner and Captain English of the Law Enforcement Department and other personnel not known by name to the Claimant.

WHEREFORE, the Claimant filed this claim for reimbursement for the loss of personal property due to the negligence, carelessness and disregard of the Law Enforcement Department, in the amount of Six Hundred Dollars (\$600.00).

JOYCE JUST
By: s/ W. J. Anderson
W. J. Anderson of
Sharp, Anderson & Bush
P.O. Box 158
Idaho Falls, Idaho 83401
Her Attorney

NOVEMBER 8, 1979

Receipt is hereby acknowledged of a duplicate copy of the above and foregoing Claim, this 5th day of November, 1979.

CITY OF IDAHO FALLS
BY: s/ Velma Chandler
City Clerk
COUNTY OF BONNEVILLE
BY: _____
County Clerk

It was noted that, in the interest of time, these were forwarded to the City's liability insurance carrier for early investigation without formal Council approval. It was moved by Councilman Hovey, seconded by Erickson, that these actions be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Personnel Director was then presented:

City of Idaho Falls
November 6, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Personnel Division
SUBJECT: PERSONNEL POLICY CHANGES

It is requested that the following Personnel Policy changes be authorized.

ARTICLE XIV - SICK LEAVE

Change to read as follows:

A.O. (accident of duty) can be used only once for the same injury except in situations where serious complications arise after the employee has returned to work; provided it is taken within one year of the date of the initial injury. Exceptions may be granted with the approval of both the Division Director and the Personnel Director only after consulting with the City Physician for recommendation. Exceptions granted shall be charged toward the maximum A.O. Benefit of the Initial Injury.

ARTICLE XXXIII - PARAGRAPH 2

Delete present wording and insert the following:

Sick Leave will be allowed for permanent employees for pregnancy related disabilities.

s/ S. Craig Lords

It was moved by Councilman Hovey, seconded by Erickson, that the change in the Personnel Policy as it pertains to accident on duty be accepted and made a part of the City Personnel Policy. Roll call as follows: Ayes, 6; No, none; carried.

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Councilman Hovey said that the paragraph on pregnancy related disabilities was to bring the City Personnel Policy in compliance with Federal Law. It was moved by Councilman Hovey, seconded by Erickson, that the change be made in the Personnel Policy as it pertains to pregnancy related disabilities. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Airport Committee was then presented:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Mayor and City Council
FROM: Airport Committee
SUBJECT: METER MAID SERVICE AT AIRPORT

At the current time there exists a traffic problem at the Municipal Airport during peak hours. The Airport Division has studied various alternatives and recommends accepting a proposal for the Wackenhut Corp. to provide meter maid service on an as needed basis at the rate of \$5.85 per hour.

The Airport Committee concurs with the suggestion and recommends the proposal submitted by the Wackenhut Corp. be accepted.

s/ Tom Miller

It was moved by Councilman Clark, seconded by Wood, that the proposal for meter maid service at the Airport be accepted as presented. Roll call as follows: Ayes, 6; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls
November 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: AUTHORIZATION TO BID FOR ITEMS RELATED TO BULB TURBINE PROJECT

The Electric Division and IECO requests authorization to solicit bids for the following:

- 1) Supervisory control equipment, which allows for remote control of the three power plants. Cost is expected to be about \$250,000 with bid opening in December 1979.

- 2) Electrical equipment, which includes three (3) transformers with related switch gear. Estimated cost is \$900,000 with bid opening in January 1980.

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- 3) General Construction, which includes all remaining demolition and reconstruction at all power plants. Estimated cost is 15-20 million dollars with bid opening in March 1980.

All of the contract documents have been reviewed by Chapman and Cutler.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Hovey, that authorization be given to solicit bids for items related to the Bulb Turbine Project as requested. Roll call as follows: Ayes, 6; No, none; carried.

Also, from the Electrical Engineer, came this memo:

City of Idaho Falls
November 6, 1979

MEMORANDUM

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

Sunset Sports on North Yellowstone Highway has requested City electrical service in lieu of Utah Power & Light Company service. Utah Power & Light Company has agreed to transfer this customer and they are in the City limits.

No facilities will be exchanged and the cost to the City will be \$19,700.87 for this account.

Council consideration of this transfer is requested.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Hovey, that the Utah Power & Light Company customer exchange, in favor of Sunset Sports, be approved. Roll call as follows: Ayes, 6; No, none; carried.

From the General Services Director, came this memo:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID NO. IF-80-2, TANDEM AXLE CAB AND CHASSIS

It is the recommendation of the General Services Division that the City Council accept the second low bid of Stoddard-Mead Ford, Inc. to furnish one (1) tandem axle cab and chassis at \$37,992.70 as per Bid No. IF-80-2.

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The low bid of Dale Evans Ford, Inc. of St. Anthony at \$36,263.73 was submitted with the stipulation "subject to prior sale." This firm has since notified the General Services Office in writing that the unit they had planned on supplying has been sold and they are no longer capable of supplying this equipment. It is for this reason the recommended award is to the second low bid of Stoddard-Mead Ford, Inc. Thank you.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the second low bid of Stoddard-Mead Ford, Inc. in the amount of \$37,992.70 be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the General Services Director came this memo:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID NO. IF-80-3, ELECTRIC TRUCK

It is the recommendation of the General Services Division that the City Council accept the sole bid of Truck Equipment Sales Company of Salt Lake City, Utah to furnish one (1) Telescopic Boom—Aerial Device mounted on Truck Cab and Chassis at \$38,255.00 as per Bid No. IF-80-3. Thank you.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the sole bid of Truck Equipment Sales Company in the amount of \$38,255.00 be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
November 7, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: SENIOR CITIZEN CENTER

Attached is a tabulation of bids for the construction of miscellaneous items at the Idaho Falls Senior Citizen Center.

It is the recommendation of the Architect, Mr. Leland Dille, and the General Services Division that the City Council accept the low base bid of Clark Brothers Construction at \$47,534.00 less deduct alternates #4 (Roll-Up doors)

\$2,157.00; and #7b (Cable Elevator) \$128,172.00; with add alternates #7a (Hydraulic Elevator) \$25,275.00 for a total contract amount of \$52,480.00 and that the Mayor be authorized to sign the appropriate contract documents.

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It is also recommended that the Mayor be authorized to sign a negative change order of \$6,200.00 to delete the plants, planting, and turf sowing for a net contract amount of \$46,280.00. Thank you.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the low bid of Clark Brothers Construction be accepted as recommended, and that the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson explained that funds were not available to complete the plants, planting and turf sowing. He said they would have to look for other funds to complete these items. It was moved by Councilman Erickson, seconded by Sakaguchi, that the change order be accepted, making the net contract amount of \$46,280.00 and that the Mayor be authorized to sign the change order. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Building Administrator was presented:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: COACHMAN WEST ADDITION, DIVISION NO. 3 - 1ST AMENDED PLAT

Attached is a copy of the final plat of the above described property.

This amended plat has been requested for the purpose of dividing two large lots into four lots in an area that is zoned for mobile homes. Although the two lots being created by this plat have frontage on Grandview, actual access will be from a private drive.

The City Planning Commission recently reviewed this matter and at that meeting recommended approval of the final plat.

This department concurs with the Planning Commissions recommendation and is now being submitted to the City Council for your consideration.

s/ Rod Gilchrist

Building Administrator Gilchrist explained that the owner wished to re-subdivide two large lots into four smaller ones that would be served by a private roadway and utility easements. Gilchrist then spotted the area on a map on the wall. Councilman Hovey said he feared that this could create a traffic hazard as it comes off of a cul de sac. Hovey asked how they would be served water and sewer service. Gilchrist answered that these lots would be served through utility easements.

Councilman Erickson stated that the City would have no responsibility on the 30 foot wide street and the City would not be called on to serve garbage pick-up on the

private street. There being no further comment, it was moved by Councilman Freeman, seconded by Clark, that the 1st amended plat of Coachman West Addition, Division No. 3 be

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accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; no, 2; carried. Councilmen Hovey and Freeman voting no.

Also, from the Building Administrator, this memo was read:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: R&V PARK ADDITION, DIVISION NO. 2 – FINAL PLAT

This property was recently annexed to the City as R-1 and R-2. This property was annexed and zoned prior to platting and this final plat takes in a portion of the property previously annexed.

This matter was recently considered by the City Planning Commission and at that time was recommended the final platting be approved.

This department concurs with the Planning Commission's recommendation and is now being submitted to the City Council for your consideration.

s/ Rod Gilchrist

It was moved by Councilman Freeman, seconded by Clark, that the final plat of R&V Park Addition, Division No. 2 be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: ADVERTISE FOR BIDS FOR 10TH STREET WATERMAIN

The plans and specifications are nearly completed for first phase construction of the 10th Street watermain between Bonneville Drive and Holmes Avenue. This renewal project provides a major connection between Wells 9 and 10 and Well No. 1.

Public Works is recommending that the Clerk be authorized to advertise for competitive bids.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the City Clerk be authorized to advertise for bids for the 10th Street watermain, as recommended. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
November 8, 1979

MEMORANDUM

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

We are attaching hereto a service contract for sewer outside the City limits in favor of Bretts Mobile Homes on North Yellowstone. This service will be part of the County L.I.D. No. 2 and all proper fees have been paid. We are recommending that the Mayor and City Clerk be authorized to sign.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the Outside-the-City Sewer Service Contract in favor of Bretts Mobile Homes, be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Also, from the Public Works Director came this memo:

City of Idaho Falls
November 8, 1979

MEMORANDUM

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

We are attaching hereto a Sewer Service Contract for Outside-the-City in favor of Evan Cropper. This property is located on Yellowstone and Woodruff in County L.I.D. No. 2. All fees have been paid and we would recommend that the Mayor be authorized to execute this contract.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the Outside-the-City Sewer Service Contract in favor of Evan Cropper be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
November 8, 1979

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Donald F. Lloyd, P.E.
SUBJECT: RIGHT-OF-WAY DEED FOR YORK ROAD

NOVEMBER 8, 1979

We are attaching hereto a Quit Claim Deed for the right-of-way necessary for York Road through the Sand Creek Park area. Bonneville County has requested this Deed to satisfy some legal requirement. We would recommend that the Council authorize the Mayor and City Clerk to execute this Deed in favor of Bonneville County.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the Mayor and City Clerk be authorized to sign the right-of-way deed in favor of Bonneville County. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor introduced Assistant City Attorney Martin who, in turn, introduced the proposed ordinance setting forth the requirements for initiative and referendum petitions. Martin explained that this ordinance had been passed on its first reading only at the last regular Council Meeting.

Mr. Ronald Politowski, 420 Linden, appeared with some questions and comments concerning the Referendum Ordinance.

Attorney Martin stated that Mr. Politowski had brought out some good points and he recommended that Attorney Art Smith and Attorney Martin reconsider the ordinance and then bring it before the Council at a later date.

The Mayor then appointed Mr. Pat McGahan as a member of the Planning Commission to replace Willis Yost. It was moved by Councilman Freeman, seconded by Hovey, that the Mayor's action be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time and the place, as required by law, for an official canvas of all votes cast for three Councilmen at the General Municipal Election held November 6th, 1979. Proceeding with said official canvas, the following results were revealed and tabulated:

NOVEMBER 6, 1979

CITY VOTES BY PRECINCTS

COUNCILMEN

PRECINCTS	ADAM	ARCHULETA	BARNES	CAMP	CHANDLER	DEIST	FRANDSEN	TOTAL	# VOTING
# 1 Armed Forces Reserve	148	25	102	11	156	169	39	1,328	464
# 2 Eagle Rock Jr. High	91	15	69	6	75	107	33	813	284
# 3 Templeview School	52	14	79	100	82	84	25	714	252
# 4 Eagle Rock Jr. High	70	36	68	17	79	102	54	872	308
# 5 A.H. Bush School	26	12	80	11	147	65	39	727	254
# 6 Bonn. Cty Courthouse	14	15	51	12	36	40	13	331	116
# 7 4 th -10 th Ward Church	29	9	110	5	170	100	22	852	292
# 8 4 th -10 th Ward Church	17	25	100	18	149	101	43	861	304
# 9 Golf Clubhouse	15	6	58	8	72	63	16	457	160
#10 I.F. High School	29	8	86	3	75	84	14	632	218
#11 Emerson School	47	11	91	3	111	72	29	796	273
#12 Emerson School	54	21	159	5	116	119	25	1,022	363
#13 O.E. Bell Jr. High	17	10	76	3	62	78	16	513	182
#14 Hawthorne School	38	12	115	6	92	90	33	694	246
#15 Hawthorne School	34	8	104	10	181	112	30	932	329
#16 Longfellow School	125	12	226	2	232	318	29	1,750	637
#17 Linden Park School	51	11	140	11	121	119	22	1,047	371
#18 Linden Park School	46	11	112	7	87	107	25	764	269
#19 Theresa Bunker Sch.	89	24	126	9	98	143	39	1,071	369
#20 Edgemont Garden	203	23	148	12	142	187	63	1,492	525
#21 Clair E. Gale Jr. High	21	5	66	100	88	84	15	583	202
#22 Dora Erickson School	39	7	68	9	72	90	19	659	234

#23 Falls Valley School	70	17	86	42	177	128	28	1,073	384
#24 Falls Valley School	26	5	61	14	69	52	23	523	184
#25 First Christian Church	68	15	143	9	121	127	24	1,030	370
#26 Bank of Commerce	84	8	77	8	63	139	31	778	271
TOTALS	1,503	365	2,601	261	2,873	2,880	749	22,314	7,861

39.7%

CITY VOTE BY PRECINCTS

COUNCILMEN

PRECINCTS	HATCH	ORME	PASTA	PATTERSON	PLUM	SAKAGUCHI	SCHUELKE	TOTAL	# VOTING
# 1 Armed Services Reserve	78	118	44	33	119	266	20	1,328	464
# 2 Eagle Rock Jr. High	61	89	28	7	67	157	8	813	284
# 3 Templeview School	90	58	20	3	35	143	19	714	252
# 4 Eagle Rock Jr. High	68	86	33	12	76	160	11	872	308
# 5 A. H. Bush School	73	73	19	32	16	127	7	727	254
# 6 Bonn Cty Courthouse	35	20	20	5	8	53	9	331	116
# 7 4 th -10 th Ward Church	73	60	39	11	23	189	12	852	292
# 8 4 th -10 th Ward Church	124	61	30	14	9	139	31	861	304
# 9 Golf Course Clubhouse	43	35	15	4	8	111	3	457	160
#10 I.F. High School	40	90	27	5	29	134	8	632	218
#11 Emerson School	85	95	27	12	45	155	13	796	273
#12 Emerson School	74	115	41	17	48	207	21	1,022	363
#13 O.E. Bell Jr. High	38	55	13	4	24	92	25	513	182
#14 Hawthorne School	54	73	10	3	31	115	22	694	246
#15 Hawthorne School	95	93	36	174	27	178	10	932	329
#16 Longfellow School	138	190	50	10	96	301	21	1,750	637
#17 Linden Park School	77	166	46	14	42	211	16	1,047	371
#18 Linden Park School	44	77	24	7	46	155	16	764	269
#19 Theresa Bunker School	52	114	75	10	86	187	19	1,071	369
#20 Edgemont Garden Sch.	85	118/	89	13	204	188	17	1,492	525
#21 Clair E. Gale Jr. High	31	60	45	10	21	120	7	583	202
#22 Dora Erickson School	38	70	36	10	35	160	6	659	234
#23 Falls Valley School	54	90	70	14	39	229	29	1,073	384
#24 Falls Valley School	29	49	41	7	31	114	2	523	184
#25 First Christian Church	60	127	47	5	56	218	10	1,030	370
#26 Bank of Commerce	46	81	29	6	62	134	10	778	271
TOTALS	1,685	2,263	954	282	1,283	4,243	372	22,314	7,861

39.7%

The City Clerk announced that, by Wednesday, October 31st at 8:00 P.M., 19,800 had qualified to vote in said election, by having either voted in the last General Municipal Election in the County or by having re-registered. The City Clerk announced that 7,861 citizens had appeared at the polls to cast their vote which is 39.7% of those who were qualified to vote. It was moved by Councilman Hovey, seconded by Erickson, that the foregoing tabulation be approved and accepted as the official canvas by the Mayor and all Councilmen. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Clark, that the meeting adjourn at 9:50 P.M., carried.

ATTEST: s/ Velma Chandler
CITY CLERK

s/ Thomas Campbell
MAYOR
