

JULY 26, 1979

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, July 26th, 1979, at 7:30 P.M. in the Council Chamber in Idaho Falls, Idaho. There were present at said meeting: Acting Mayor Jim Freeman, Councilmen Charles Clark, Paul Hovey, Sam Sakaguchi, and Ralph Wood. Absent: Mayor Tom Campbell and Councilman Mel Erickson. Also present: Velma Chandler, Deputy City Clerk; Simon Martin, Assistant City Attorney and all other available Division Directors.

Minutes of the last regular Council meeting held July 12th, 1979, were read and approved.

Noting from the agenda that annexation and initial zoning procedures, recessed from the last Council meeting, were to be reviewed, Acting Mayor Freeman asked Councilman Clark to conduct this portion of the meeting. Councilman Clark requested that the City Clerk read this memo from the Building Administrator:

City of Idaho Falls
July 26, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: ANNEXATION AND INITIAL ZONING – UN-PLATTED PROPERTY
WEST OF PANCHERI ADDITION

A request has been received to annex a small parcel of un-platted property housing an irrigation pump station adjacent to the Pancheri Addition. This matter was recently considered by the Planning Commission at a public hearing and at that time they recommended annexation to the City and initial zoning of R-1.

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

s/ Rod Gilchrist

Councilman Clark questioned the legality of annexing this pump area to service outside the City customers and asked Attorney Martin for comment. Attorney Martin said he would need to check further but said it possibly was illegal to annex under such conditions. After some discussion, it was moved by Councilman Clark, seconded by Sakaguchi, that the request for annexation and initial zoning of the area described above be respectfully denied. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that this was the time and the place, recessed from last regular Council meeting, to conduct a public hearing to consider the placement of two mobile homes on the O. E. Bell Junior High School site, and asked Councilman Clark to conduct the hearing. Councilman Clark said that the officials of School District No. 91 had been contacted and it was learned that, because of the trend of losing school population they were careful in their building plans and were monitoring the population very closely to determine building needs.

Mrs. William Koutnik, 285 Walnut, appeared briefly to say that she favored keeping a school at the O. E. Bell Jr. High area and asked several questions including, where the mobile homes would be placed, color of mobile homes and if they would be placed on

grass or blacktop. Councilman Freeman informed Mrs. Koutnik that it was the responsibility of the Council to approve or deny the request for the variance and then the duty of the school

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district officials to make these other decisions and suggested that she contact Dr. Parsley of the School District for answers to her questions.

Mrs. Hazel Maughn, 125 S. Water appeared briefly to register concern as to the length of time the mobile homes would be placed at the location and requested assurance that only O. E. Bell Jr. High students would be allowed to use the classrooms in said mobile homes. Councilman Freeman explained that variances of this nature are generally issued for one school year at a time and have to be reviewed by the Council again, for an extension after that period.

Building Administrator Gilchrist said it was his understanding that these mobile homes would be used by the O. E. Bell students until the school was phased out. There were none others to appear to protest or otherwise comment. It was moved by Councilman Clark, seconded by Sakaguchi, that the placement of the two mobile homes as described, be approved for the next school year 1979-80. Roll call as follows: Ayes, 5; 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 drive up window in a C-1 zone as described by this memo from Building Administrator Gilchrist:

City of Idaho Falls
July 26, 1979

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR VARIANCE TO ALLOW DRIVE-UP WINDOW IN
THE PROPOSED MACDONALD'S RESTAURANT IN C-1 ZONE

Attached is a copy of a request for a variance to allow a drive-in window to be constructed in the proposed MacDonal'd's Restaurant to be located in the Westfield Plaza Shopping Center. This request is made necessary inasmuch as the Zoning Ordinance does not permit drive-in restaurants of any type in the C-1 zone.

This department recommends approval of this request as several similar variances of this type have been approved in the past. This matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

There were none to protest or otherwise comment. Therefore, it was moved by Councilman Clark, seconded by Sakaguchi, that this variance request be approved as requested. Roll call as follows: Ayes, 5, No, none; carried.

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

City of Idaho Falls
July 26, 1979

MEMORANDUM

TO: Mayor and Council

FROM: Rod Gilchrist
SUBJECT: REQUEST FOR VARIANCE - TEMPORARY PLACEMENT OF
MOBILE HOME IN HATCH-GRANDVIEW ADDITION.

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Attached is a copy of a variance submitted by the Atomic Workers Credit Union requesting placement of a mobile home to be used as temporary office space and drive-in banking facilities. This is to be placed on a portion of Lots 1 and 2, Block 1 of Hatch-Grandview Addition. This property is located on Foote Drive, immediately north of the existing Exxon Service Station.

This request is for approximately one year while plans are being finalized and construction can begin on a permanent facility at this location. This office recommends approval of the request and the matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Building Administrator Gilchrist pinpointed the area on a map. He said that most of the improvements made now would be permanent improvements in preparation of the permanent building. There were none who appeared to protest or otherwise comment. It was moved by Councilman Clark, seconded by Sakaguchi, that placement of a mobile home in Hatch-Grandview Addition for temporary offices for the Atomic Workers Credit Union be approved for a one year period. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk drew attention to the fact that a legal notice had been published, in the interests of time, without Council approval, calling for a public hearing, held this night, to consider the granting of a variance to permit a drive-up window in a C-1 zone. It was moved by Councilman Hovey, seconded by Wood, that this action of the City Clerk 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 this night, to consider placement of a mobile home to be used as offices for the Atomic Workers Credit Union. It was moved by Councilman Hovey, seconded by Wood, that this action, also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

License applications for ELECTRICAL CONTRACTOR, Monson Electric by Thayne Monson, Wheeler Electric by Bruce Wheeler; JOURNEYMAN ELECTRICIAN, Bruce Wheeler, Thomas P. Comstock, Gary J. Triplett, Randall B. Wheeler, APPRENTICE ELECTRICIAN, Reece W. Burke with Electric-Con, J. Brady Duncan with Duncan Electric; CLASS D JOURNEYMAN, WARM AIR, James R. Wilson; CLASS C JOURNEYMAN, Glen E. Brown; CLASS D APPRENTICE, WARM AIR, Greg Lee; CLASS D JOURNEYMAN, WARM AIR, Ivan Byington; NON-COMMERCIAL KENNEL, I.W. Underwood, Tex McNeill; BARTENDER, Diann L. Piatt, Collette Heyrend, Linda Shugars, Raymond Mitchell, August Claude Leavitt, Jeanne Beckett, Wayne O. Miller, Kermit Jacobs, Christine Merkley, Lynn Welty, Brian Drew, Fong See Kit, Alice Hayden, Steven Butz, Kathryn Anderson were presented. It was moved by Councilman Clark, seconded by Wood, that these licenses be granted, subject to the approval of the appropriate Division Director or his authorized representative, where required. Roll call as follows: Ayes, 5; No, none; carried.

From the City Controller, this memo was presented:

City of Idaho Falls
July 23, 1979

MEMORANDUM

TO: Mayor Thomas Campbell and City Council

FROM: John D. Evans, Controller
SUBJECT: AMENDMENT OF THE 1978-79 BUDGET

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On July 12, 1979 the City Council held a budget hearing and approved an amendment to the 1978-79 Fiscal Budget.

The appropriate appropriation ordinance has now been drawn and you are requested to pass this ordinance on all three readings.

s/ John Evans

This memo served to introduce the following ordinance:

ORDINANCE NO. 1600

AN ORDINANCE AMENDING SECTION 21 OF THE ANNUAL BUDGET OF THE CITY OF IDAHO FALLS, IDAHO, FOR THE FISCAL PERIOD OCTOBER 1, 1978 - SEPTEMBER 30, 1979, BY APPORTIONING ADDITIONAL MONEYS TO THAT AMOUNT THEREOF, AND AMENDING THE FISCAL APPROPRIATION ORDINANCE OF SAID CITY, ORDINANCE NO. 1561, BY APPROPRIATING ALL OF SAID ADDITIONAL MONEYS FOR AUTHORIZED PROJECTS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

The memo from the Public Works Director was then submitted:

City of Idaho Falls
July 26, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: FOOTE DRIVE PAVING

At the regular Council meeting July 12, 1979 the Council tabled our request to award a contract for the paving of Foote Drive. We are resubmitting this request with an explanation that 31% of the cost will be paid by the State for their participation and the Water and Sewer Department will be obligated for adjustments to manholes and water valves. We are again recommending that a

contract be awarded to the low bidder, H-K Contractors, Inc. in the amount of \$18,451.00.

Respectfully submitted,
s/ Don

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It was moved by Councilman Sakaguchi, seconded by Hovey, that the low bid of H-K Contractors, Inc. be accepted in the amount of \$18,451.00 for the paving of Foote Drive. Roll call as follows: Ayes, 5; No, one; carried.

Also from the Public Works Director, this memo was submitted:

City of Idaho Falls
July 26, 1979

MEMORANDUM

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

We are submitting herewith an executed agreement for sewer service outside the City in favor of Mr. Paul DeMordaunt, owner of the Motorview Theatre. This agreement is in accordance with terms negotiated and agreed to by the Mayor and is accompanied by checks covering connection fee and their share of an L.I.D. assessment.

We would recommend that the Council authorize the Mayor and City Clerk to execute this agreement.

Respectfully submitted,
s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the outside the City sewer service contract in favor of Paul De Mordaunt be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

From the General Services Director came this memo:

City of Idaho Falls
July 19, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: AUTHORIZATION TO ADVERTISE TO RECEIVE BIDS – COAL

The General Services Division respectfully requests authorization to advertise to receive bids for coal jointly with School District No. 91.

Thank you,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Hovey, that authorization be granted to advertise for bids for coal, jointly with School District No. 91. Roll call as follows: Ayes, 5; No, none; carried.

Also from the General Services Director came this memo:

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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: SENIOR CITIZEN CONTRACT – CHANGE ORDERS

Attached are copies of proposed change orders to be constructed on contract – Senior Citizen Center. They are as follows:

- | | | |
|----|---|------------|
| 1. | Installation of additional conduit | \$ 158.40 |
| 2. | Installation of floor underlayment in areas to receive resilient floor covering | \$2,087.00 |
| 3. | Installation of fuel pump sewage ejector system | \$2,008.35 |
| 4. | Profit and overhead | \$ 406.60 |

It is the recommendation of the General Services Division and the Architect that the City Council accept these change orders and authorize the Mayor and Clerk to sign.

Thank you,
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Hovey, that the change orders in the Senior Citizens Contract, as described, be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from Electrical Engineer Harrison was then presented:

City of Idaho Falls
July 20, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: ADJUDICATION OF WATER RIGHTS

The Electric Division requests authorization to have Kent Foster, a local water attorney, to proceed with the adjudication of certain “constitutional” water rights associated with the three hydro sites.

The estimated cost of this service is \$3,000.

s/ G. S. Harrison

Electrical Engineer Harrison explained that all three plants have different water rights and that the difference between decreed rights and historical use can be adjudicated as constitutional rights. It was moved by Councilman Wood, seconded by Hovey, that

authorization be given to proceed with the adjudication of the constitutional water rights associated with the three hydro sites as described. Roll call as follows: Ayes, 5; No, none; carried.

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Also from the Electrical Engineer came this memo:

City of Idaho Falls
July 26, 1979

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: RELOCATION OF CITY SUBSTATION

The Electric Division requests Council authorization to purchase one acre of land on Milligan Road for purpose of relocating the City Substation. The cost of this property is \$40,000 of which \$1,000 has been paid as earnest money.

Approval of this purchase will result in a change order from IECO for substation relocation in the amount of approximately \$400,000.

The Mayor will need authorization to sign the purchase agreement.

Additional information is attached.

s/ G. S. Harrison

It was moved by Councilman Wood, seconded by Sakaguchi, that the Mayor be authorized to sign the purchase agreement for the acquisition of this property. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Traffic Safety Committee was submitted:

City of Idaho Falls
July 26, 1979

MEMORANDUM

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: Traffic Safety Committee
SUBJECT: TRAFFIC RECOMMENDATIONS

1. Install STOP signs on either side of the railroad crossing on Bombadier Avenue (the spur track going into Boise Cascade) to comply with Idaho Code 49-672.
2. Establish 25 MPH on Kearney Street east of Woodruff.
3. Establish angle parking on the east side of Corner Avenue between Elm and Walnut Streets to provide more parking for Don Wilson Drug and Ellsworth Engineering.

4. Suggest removal of the variable speed signs controlling Boulevard between 5th and 9th Streets and Sunnyside Road, excepting the school zone at Hawthorne.

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5. Restrict parking for approximately twenty feet to the west of the west driveway at the Teacher's Credit Union, 1414 Cambridge Drive, to provide better and safer access to the drive-in teller.
6. Deny a request for a pedestrian crosswalk on Woodruff Avenue between Three Fountains and Stanger Avenue.
7. Install STOP sign on Virginia Avenue at Ricks Street.

s/ Robert D. Pollock

The first recommendation was then reviewed. It was moved by Councilman Clark, seconded by Wood, that the STOP signs be installed as recommended to comply with Idaho Code. Roll call as follows: Ayes, 5; No, none; carried.

Recommendation No. 2 was then considered. It was moved by Councilman Clark, seconded by Wood, that 25 MPH speed signs be installed on Kearney Street, east of Woodruff as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Recommendation No. 3 was then considered. After some discussion it was generally agreed that this recommendation needed further study. Therefore, it was moved by Councilman Clark, seconded by Wood, that this request be tabled for further study and consideration.

Proposal No. 4 was then presented. It was moved by Councilman Clark that this recommendation be approved. This motion died for lack of a second. It was then moved by Councilman Clark, seconded by Wood, that this proposal be tabled for further study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

Submitted next was Recommendation No. 5. It was moved by Councilman Clark, seconded by Wood, that restricted parking be approved along the location as described. Roll call as follows: Ayes, 5; No, none; carried.

Recommendation No. 6 was then presented. It was moved by Councilman Clark, seconded by Wood, that the request for a pedestrian crosswalk on Woodruff Avenue between Three Fountains and Stanger Avenue be denied. Roll call as follows: Ayes, 5; No, none; carried.

Finally, Recommendation No. 7 was reviewed. It was moved by Councilman Clark, seconded by Wood, that a STOP sign be installed on Virginia Avenue at Ricks Street as recommended. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Clark, that the meeting adjourn.

ATTEST: s/ Velma Chandler
Deputy City Clerk

s/ James R. Freeman
Acting Mayor