

**MAY 24, 1979**

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The City Council of the City of Idaho Falls met in regular meeting, Thursday, May 24<sup>th</sup>, 1979, at 7:30 P.M. in the City Council Chamber in Idaho Falls, Idaho. There were present at said meeting: Mayor Tom Campbell; Councilmen Paul Hovey, Sam Sakaguchi, Ralph Wood, Charles Clark, Mel Erickson, and Jim Freeman. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney, and all other available Division Directors.

Minutes of the last regular meeting, held May 10, 1979, were read and approved.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider a re-zoning petition from Alpine Real Estate, as more fully explained by this memo from Building Administrator Gilchrist:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: REQUEST FOR REZONING – WESTGATE ADDITION, DIVISION NO. 1, LOT 1, BLOCK 3 (150' BY 500')

Attached is a copy of a petition for rezoning of the above described property, from R-3A to HC-1 (highway-commercial). This request has been submitted by Alpine Realty for the intended purpose of constructing a restaurant and bar.

This matter was recently considered by the Planning Commission at a public hearing, and at that time several of the adjacent property owners voiced objection to this proposal. At the completion of the public hearing, the Planning Commission recommended denial of the request by a vote of 7 to 1. In making this recommendation, the Planning Commission felt that the 150 feet depth of the property was not adequate to provide a desirable commercial development. The building could not be located far enough away from adjacent land uses and that the commercial development in this area would be a detriment to the existing apartments on the adjacent property.

This department concurs with the recommendation of the Planning Commission, and it is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

At the invitation of Councilman Freeman, Gilchrist approached the Council table and, by use of a map on the wall, pinpointed the affected lands in question, pointing out that, in the event this property were to be rezoned, it was the developer's intent to construct a restaurant and bar. Gilchrist concluded his remarks by noting that his office had received two protests to this proposed rezoning from those unable to be in attendance this night.

Mr. Ed Bloxham, representing Alpine Realty, appeared before the Council and, in response to a question by Councilman Freeman, said the party he represented was a relatively new owner of the property in question and had purchased with the understanding that it could be rezoned H-C without difficulty, inasmuch as similar property fronting on West Broadway was so zoned. Freeman concurred with the thinking of the Planning Commission, as indicated in the foregoing memo, that 150 feet was not a sufficient depth to

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properly serve the type of business as planned and thus, would not provide a sufficient buffer. In answer to a suggestion by Councilman Clark that the building site be moved closer to the Highway with parking in the rear, Gilchrist advised that there would then be insufficient set back. Bloxham reappeared briefly to say that this location was not conducive to multiple housing.

Mr. Ed Hansen, Orem, Utah, appeared before the Council as one of the developers. In response to the suggestion by Clark, Hansen said the building site could be moved if this would solve the set back and buffer problem. Freeman reminded Hansen that this would not be permissible under the Building Code. In answer to a question by Hansen as to what type of development would be looked upon with favor, Freeman suggested professional buildings. Hansen said this would appear just as offensive, in his opinion, as that which would be permitted in an R3-A zone. Hansen concluded his remarks by saying, that the existing zone, in his opinion, represented spot zoning. In answer to a question by Councilman Sakaguchi as to what type of development is intended for this area Gilchrist said his office had received some inquiry from those who might be interested in certain types of development permitted under the existing R3-A zone.

There were none who appeared to protest or otherwise comment on this rezoning request. However, in view of the Planning Commission recommendations and the foregoing discussion, it was moved by Councilman Freeman, seconded by Clark, that the Planning Commission recommendation be upheld and this rezoning petition be respectfully denied. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time and the place for a public hearing, as advertised, to consider a variance request from School District No. 91 for placement of two mobile homes at the O.E. Bell Jr. High School, as more fully explained by this memo from the Building Administrator:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: REQUEST FOR TEMPORARY PLACEMENT OF TWO (2) MOBILE HOMES

Attached is a copy of a request for a variance submitted by School District No. 91. This request is to move two double-wide mobile homes from Ethel Boyes Elementary School to O.E. Bell Jr. High School.

These mobile homes are to be used as temporary classrooms to replace classroom facilities in the annex building which is to be razed this summer.

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

s/ Rod Gilchrist

Councilman Freeman explained that even though the Jr. High annex is to be razed, some classes will be continued and, thus the need for continued temporary quarters for classrooms.

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In answer to a question by Mrs. Maggie Day, an employee at the Presbyterian Church, Freeman noted that these mobile homes, if their placement were to be permitted by the Council, would be located at the southwest corner of the lot. There were none who appeared to protest or otherwise comment on this variance request. It was moved by Councilman Freeman, seconded by Clark, that this variance be approved for the coming school year. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time an the place, as advertised, to conduct a public hearing for consideration of an extension to an existing variance pertaining to the placement of a mobile home and also a request from the same petitioner for placement of two additional mobile homes, as more fully explained by this memo from Building Administrator Gilchrist:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: EXTENSION OF VARIANCE FOR AN EXISTING HOME AND  
REQUEST TO ADD TWO ADDITIONAL MOBILE HOMES CHILD  
DEVELOPMENT CENTER

Attached is a copy of a request for an extension of a previously granted variance to utilize a mobile home as classroom facilities at the Child Development Center at 2475 Leslie Avenue. The variance is also requesting the placement of two (2) additional mobile homes to be used as storage.

The original variance for the existing mobile home was granted in November of 1977. This matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

In answer to a question by Councilman Freeman, Gilchrist responded by saying that the Child Development Center does not have plans for immediate permanent construction. By way of explanation, Councilman Clark pointed out that, originally, the center had obtained some financing and were apparently on firm ground but, because of certain delays it had now been determined that construction must be postponed, due to exorbitant construction costs. Continuing, Clark noted that the present plans call for covering over the existing mobile home unit but the specific location of the other two, assuming the Council were to grant permission for their placement, was as yet unknown.

Mr. Mel Haas, representing the Child Development Center, appeared before the Council to concur with the remarks made by Councilman Clark, adding that future construction plans, for the time being at least, are limited to covering the existing unit and that cost estimates have been obtained on this project. Continuing, Hess noted that the two additional units are being donated by the County and that these had been acquired through HUD. He said they were not equipped for utilities or heat and would be used only for dry storage. Gilchrist reappeared briefly to advise that this type of mobile home would not meet the requirements of the fire or building codes. Directing his remarks to Mr. Hess, Freeman warned that variances are virtually never approved for permanent placement of a mobile home. In response, Hess said his group was surely in hopes that the present development

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plan, limited as it is, will not be permanent but that, for the predictable future, they, too, were caught in the 1% initiative crunch. Turning then to Gilchrist's comments relative to these two mobile homes not being so constructed as to meet fire and building codes, Fire Chief Call was asked for comment. Call explained that this type of structure must be constructed as well as the structure that it is placed close to or adjoins, as if it were an addition. Hess said it was the intention to have them out in an open area, away from the existing units. There were none who appeared to protest or otherwise comment, on either facet of this variance request. It was moved by Councilman Freeman, seconded by Clark, that with reference to the portion of this variance request having to do with an extension to an earlier variance on an existing unit, approval be granted for continued placement for one additional school year. Roll call as follows: Ayes, 6; No, none; carried. With reference to the request for placement of two additional mobile home units, it was moved by Councilman Freeman, seconded by Clark, that said request be approved for one school year, subject to final inspection and approval by the Fire and Building Officials as to a location that would satisfy and not be in conflict with Fire and Building Codes. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to consider a request for an extension to a variance that would allow continued placement of a mobile home, as more fully explained by this memo from the Building Administrator:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

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

Attached is a copy of a request for an extension of a variance submitted by Lemons House Moving and a previously granted variance in October of 1978. This mobile home is being used as quarters for a night watchman, at 1251 Houston Avenue.

This was originally requested due to heavy losses through theft and vandalism of fuel and equipment. The variance stated that their losses have been reduced totally, and accordingly, they are requesting that the variance be extended.

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

s/ Rod Gilchrist

Councilman Freeman registered concern on this request, anticipating that the petitioner might not be making any plans for removal of this mobile home unit unless given a specific deadline by the Council. There were none who appeared to protest or otherwise comment on this request for a variance extension. It was moved by Councilman Freeman, seconded by Clark, that this application for a variance be approved for a period of six months through November, 1979, with the understanding that the petitioner be advised that no further such requests would be honored. Roll call as follows: Ayes, 6; No, none; carried.

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Mr. Norton Huntsman, 1120 Pacific, appeared before the Council to present a variance request that would permit him to install an undersized window well in his basement. The Mayor explained that, to follow proper procedure, such a request must first be presented through the Building Officials who would initiate action for a public hearing by the City Council for consideration of such a request.

The City Clerk presented an application for a liquor catering permit in favor of Le Barons to serve liquor by the drink on May 16<sup>th</sup> for a social function at the Science Center, sponsored by the American Society for the non-destructive testing organization. It was explained that said permit was issued, in the interests of time, without formal Council approval but with the approval of the Police Chief. It was moved by Councilman Freeman, seconded by Clark, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

This damage claim was presented:

May 18, 1979

TO: Roy Barnes  
City Clerk  
Idaho Falls, Idaho

RE: FLOYD M. BENSON AND NADINE D. BENSON 239 PINON DRIVE,  
IDAHO FALLS IDAHO – MAIN LINE SEWER BACK-UP APRIL 11, 1979

DEAR SIR:

The following is a description of our experience of April 11, 1979 along with the billings we incurred as a result of the incident. We are presenting them as a claim against the City insurance policy and respectfully request your earliest consideration toward submitting them for payment.

On April 11<sup>th</sup> at 8:30 P.M., after being away at work all day, we discovered our basement was covered with water. It was coming up through the floor drain and ran over the toilet. The shower contained water also but it was deep enough to not overflow. The water was dirty and smelled of sewer.

We telephoned a roto-roter service and were advised he could not come until the following morning. Tried another listing for service with no results. Then called the fire department for assistance regarding pumps. We had heard of such service in other cities. They advised us to call the Water Department at 529-1471. The man answering urged us to call other roto-roter services. The water was getting deeper, the furnace had to be shut off, and the washer, dryer were in danger. We carried 40 gallons of water by buckets to outside in an attempt to control the water level while finally securing a roto-roter man who arrived about 10:00 P.M. While waiting, we had attempted to stuff the drain with a piece of wood and rags as water continued to come. We baled out the toilet stool several times as it continued to run over.

The roto-roter ran 100' to main line with no relief to the situation and then inquired about our neighbors. The Ed Juell family were in Florida on vacation and no one was staying in the house. We secured a key from the Fergusons' across the street and found the Juell basement all covered with water also.

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We called the Water Dept. again and a City crew arrived about 12:30. They worked until they released a plug north of our house and our drain accepted the run off immediately. We had a City crew member check both drains in both houses until we were sure they were draining satisfactorily.

We inquired as to who was to clean up the mess, and were advised to call the City for instruction the following morning, that insurance was available for such situations.

We learned that Homer-Koster is the insurance carrier and they advised us to go ahead with a clean up, that some one would be in touch.

A Mr. Don Keithly telephoned from Yellowstone Adjusters about 9:45, made inquiry about the incident and then advised us that the City has no responsibility and pay less than 1/10<sup>th</sup> of 1% of claims presented.

Our basement is carpeted, a clean up will be very expensive.

We advised Mr. Keighly that we would proceed to clean up both basements and that we would present a claim.

We called Tobin Cleaning Service, who came to pump out water, loosen carpets, and remove padding to the dump. Fans were set up to dry carpeting.

We lost a days work seeing to the clean up of both basements on April 12.

The residents on the corner across the street also asked Tobins to clean theirs later in the day so three of our four houses on our end of the street had the problem.

As the carpets dried the smell was so bad we doubted they could be used. We reported less damage than we now have encountered as things begin to dry out.

On Sunday, made buckets of scrub water and cleaned the floors. The water was deep enough to even ruin the coving and it had to be removed also.

Left everything to dry out for the following week. We normally use every inch of our basement on a daily basis. Mr. Benson has two rooms which are essential to his job as photographer for EG&G.

We have owned the home for 2 ½ years and have never had any problems. The neighbors know of no problems under the previous ownership. The plug was removed beyond our house to the north. The sewer runs south. The City crew member who came in the house to be sure drains were open stated plainly it was mainline problems. Everyone who came to help were sympathetic. Our neighbors came home to a soaked and stinking basement. We all had to work hard for days to clean out the mess and it was very expensive. If City insurance is available, this is certainly a case where it applies. The bills are as follows:

Roto-rooter at the Water Dept.'s insistence in spite of the fact that one had been home all day to run water and in spite of the fact that water was coming in constantly for hours. \$ 35.00

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Water Department came 4 hours later on second call.

Tobins Cleaning – to suck out water from floors and carpets – remove pad to dump and set fans to dry carpet	\$205.00
Purchase of 40 yards carpet pad	\$120.00
Purchase of carpet remnant 11 yards to replace unusable piece in hall – installation of pad and reinstallation of carpet	\$126.00
Tobin Cleaners to clean the reinstalled carpet	\$ 71.84
Cleaning of 9x12 oval rug soaked in storage	\$ 12.00
Service call on washer and dryer.	<u>\$ 21.50</u>
	\$685.10

Our employers paid for the day off we took to clean ours and the neighbors basements of the standing water.

We have since had a ball plug installed in the floor drain. There is nothing we can do about the stool and shower.

It has been a miserable and expensive experience. Repair and replacement was essential to both job and valuation of home.

s/ Mr. & Mrs. Floyd M. Benson

The City Clerk noted that, in the interests of time, this claim had been forwarded to the City's liability insurance carrier on May 18<sup>th</sup> without formal Council approval. It was moved by Councilman Hovey, seconded by Erickson, that this action also be ratified. Roll call as follows: Ayes, 6; No, none; carried.

License applications for FIREWORKS, Marsha Jensen at Tires West, Marsha Jensen at Holiday Oil; SNOW CONE CONCESSION, Ruth's Arctic Circle; GROCERY, Kwik Service; RESTAURANT, Skippers Sea Food Chowder House, Doug's Dairyland; ELECTRICAL CONTRACTOR, Keith H. Freeman for Freeman Electric, Mark Robertson for Mark Robertson Electric; Electrical Equipment Company, Willard C. Smith for Smith Electric; JOURNEYMAN ELECTRICIAN, Robert Dale Richman, Keith H. Freeman, Mark Robertson, Francis Irving Shearer, Willard C. Smith, Clair L. Clayton; APPRENTICE ELECTRICIAN, Carl Lynn Shearer with Electrical Equipment, Bobby Dean Smout with Electrical Equipment Co., Myron Davenport with LOC Electric; JOURNEYMAN PLUMBER, Roy Gallup, Gerald Lowe; MASTER PLUMBER, Upper Valley Plumbing; BOWLING LANES, Skyline Lanes; BARTENDER, Roberta Drewes, Herbert Jehman, Richard Wachter, James Bishop, George F. Deines , Gregory Hayward, Karen Dixon; BEER (Canned, bottled and draught to be consumed on the premises) Skipper's Fish & Chips Chowder House; PUBLIC WORKS RIGHT OF WAY, G.H.G. Investment Company, Joe Campbell Construction Company were presented. It was moved by Councilman Clark, seconded by Freeman, 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, 6; No, none; carried.

This memo from the Personnel Director was presented:

MAY 24, 1979

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City of Idaho Falls  
May 23, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Personnel and Finance Divisions  
SUBJECT: BLUE CROSS RETENTION AGREEMENT

Attached is a retention agreement with Blue Cross of Idaho Health Services, Inc. for health care services.

This new agreement insures the City of Idaho Falls during the contract year the same benefits coverage and costs that are guaranteed under the existing contract. However, the new agreement provides for an aggregate stop loss and rate stabilization reserve.

It is the recommendation of Simon Martin, Assistant City Attorney, S. Craig Lords, Personnel Director, John D. Evans, Controller, that the Council approve this contract, effective January 1, 1979, and authorize the Mayor and City Clerk to sign said documents.

s/ S. Craig Lords  
s/ John D. Evans

It was moved by Councilman Hovey, seconded by Erickson, that this Blue Cross Retention Agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

From the Parks and Recreation Director came this memo:

City of Idaho Falls  
May 22, 1979

MEMORANDUM

TO: Mayor and City Council  
FROM: Ernest Craner, Director  
SUBJECT: TIME EXTENSION ON THE GREENBELT

Ellsworth Engineering, Inc.- Idaho Falls; Early Bird Sprinklers - Rexburg, contractors; have requested a change of completion date for construction of site improvements for Snake River Greenbelt.

From June 1, 1979 to July 1, 1979

Liquidated damages will therefore not begin to accumulate until July 2, 1979. It is agreed by both parties that this change will not effect the contract amount. All other provisions of the contract remain in force.

Permission is requested for the time extension, and the agreement to be signed by the City.

s/ Ernest Craner

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It was explained that the reason for this request was because of the severity of the past Winter Season. It was moved by Councilman Freeman, seconded by Erickson, that for the reason as stated, this time extension on the Snake River Greenbelt Project be extended to July 1<sup>st</sup>, 1979. Roll call as follows: Ayes, 6; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls  
May 22, 1979

MEMORANDUM

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

Two (2) residences now being served by Utah Power & Light Company have requested a transfer to City Electrical Service. Both customers are in the City and Utah Power & Light Company has agreed to the exchange. The cost of the exchange is \$1,764.19 and money is in the budget for this purpose. The Electric Division requests Council consideration of these transfers.

s/ G. S. Harrison

It was noted that the two affected electric customers were Walter E. Edwards and Don L. Roberts. It was moved by Councilman Wood, seconded by Hovey, that this recommendation be upheld and these electric customers be accepted at the cost as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Electrical Engineer was submitted, to-wit:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Steve Harrison, Manager  
SUBJECT: ELECTED COMMITTEE FOR WPPSS AGREEMENT

The WPPSS 4 & 5 Agreement requires that an elected committee represent the various participants. The Committee members were elected on May 16th in Victoria, B.C.

The City must now designate one of the seven committee members to represent its participants share in the projects.

It is the recommendation of the Electric Division that the Council consider designating Alan Jones of McMinnville, Oregon to represent the City's share. He must vote the City's wishes on all matters that come before the Committee.

The Mayor will need authorization to make the designation.

s/ G.S. Harrison

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The City Clerk read aloud the committee members from whence the selection was to be made to represent the City under the WPPSS 4 & 5 agreement, as follows:

Ed Morris, Donald Clayhold, Tacoma City Light, Robert McKinney, Snohomish PUD, Pacific Northwest Generating Company, Alan Jones.

It was moved by Councilman Wood, seconded by Hovey, that Alan Jones be selected to represent the City in this regard and the Mayor be authorized to sign the participant's committee designation form accordingly. Roll call as follows: Ayes, 6; No, none; carried.

By memo the Public Works Director requested authorization to advertise for bids on various water and sewer line replacements, as follows: Portions of Placer Avenue, 6" waterline; J. Street, 6" waterline; intersection of Chatham and Fanning, 8" sewer line; alley between 13<sup>th</sup> & 14<sup>th</sup>, 8" sewer line; alley between 16<sup>th</sup> and 17<sup>th</sup>, 6" water and 8" sewer line; alley between 17<sup>th</sup> and 18<sup>th</sup>, 8" sewer line; alley between 20<sup>th</sup> and 21<sup>st</sup>, 8" sewer line. It was moved by Councilman Sakaguchi, seconded by Hovey, that authorization be granted to advertise for bids on the projects as described. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Public Works Director was forthcoming, as follows:

City of Idaho Falls  
May 23, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: FREMONT AVENUE WATERLINE & SEWERLINE

On May 22, 1979, two bids were received for the construction of water and sewerline extensions on North Fremont Avenue as follows:

Engineer's Estimate	\$ 81,720.00
H-K Contractors, Inc.	66,900.00
O & F Construction	70,927.50

Both of these bids have been checked and found to be considerably less than the Engineer's Estimate, consequently we are recommending that the contract be awarded to the low bidder, H-K Contractors, Inc., in the amount of \$66,900.00.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that H-K Contractors be awarded the bid in the amount of \$66,900 for the project as described. Roll call as follows: Ayes, 6; No, none; carried.

Continuing with memos from the Public Works Director, the following was presented:

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City of Idaho Falls  
May 23, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: LEASE ARRANGEMENT WITH THE L.D.S. TEMPLE

Along the east side of Riverside Drive there is a parcel of land containing 6330 sq. ft. that has been landscaped and maintained by the Idaho Falls L.D.S. Temple for some years. This portion of land is actually public right-of-way which should be retained for some possible future use. The Temple Presidency has requested the use of this parcel of land for creating additional parking and the Public Works Committee has recommended that a lease arrangement be prepared. The City Attorney has prepared a lease and the Committee is recommending its approval.

s/ Don

Asked for comment, the City Attorney cited some of the more salient provisions of this lease as follows: Lessee responsible for maintenance, snow removal, etc.; Lessee agrees to hold Lessor harmless; lessor may terminate lease in 60 days in the event land needed for public purposes; Rent, \$100.00 a year. It was moved by Councilman Sakaguchi,, seconded by Hovey, that this lease agreement be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Still another memo from the Public Works Director was reviewed, to-wit:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: ENGINEERING AGREEMENT

The City of Idaho Falls was awarded a grant in the amount of \$55,000 from the Pacific Northwest Regional Commission to construct a pilot treatment facility and monitoring program to test and evaluate stormwater treatment. Some design engineering will be necessary to develop the plans for the "Bonneville Drain" and other parts of the installation. The firm of CH2M Hill has been selected to do this engineering at a fee of not to exceed \$9,995.00. This fee is to be funded out of the \$55,000 grant.

We request that the Mayor be authorized to sign the attached Engineering Agreement which has been reviewed by the City Attorney.

s/ Don

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It was moved by Councilman Sakaguchi, seconded by Hovey, that this agreement with CH2M Hill be accepted and the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, one; carried.

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

City of Idaho Falls  
May 23, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: ADJUSTMENTS OF GARBAGE CONTAINER RATES

During a recent review of the economics of the garbage collection system, we found there is a need to adjust certain container rates such that the customer pays in accordance with the amount of garbage hauled. We are requesting that the City Attorney be authorized to work in conjunction with Public Works to prepare an amending ordinance to adjust these container rates.

s/ Don

By way of explanation, Councilman Sakaguchi noted that there is no applicable garbage rate for the large commercial users and there is need, otherwise, for some minor revisions to make the entire rate schedule equitable. It was moved by Councilman Sakaguchi, seconded by Hovey, that the City Attorney be directed to prepare an appropriate amendatory ordinance for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was then submitted:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: RIGHT-OF-WAY

Attached herewith is a utility right-of-way agreement between the Bonneville County and the City of Idaho Falls approving permission for the City to place a sanitary sewerline related facilities within portions of Grizzly Avenue from Claredot Drive southwesterly to Mill Road, and Mill Road, from Grizzly Drive westerly to Bellin Road. The construction of this line under verbal approval has been completed, or nearly completed.

This agreement has been reviewed by the City Attorney and we request the Mayor and City Clerk be authorized to sign the document.

s/ Don

The foregoing memo served to introduce the following utility right-of-way agreement between the City and Bonneville County:

**MAY 24, 1979**

**UTILITY RIGHT-OF-WAY (Resolution No. 1979-10)**

WHEREAS, the City of Idaho Falls desires to construct a new sanitary sewerline and related facilities within portions of certain Bonneville County roadways designated as Grizzly Avenue (from Claredot Drive southwesterly to Mill Road) and Mill Road (from Grizzly Drive westerly to Bellin Road) and;

WHEREAS, Bonneville County is responsible for the improvement, maintenance and control of these right-of-ways;

NOW THEREFORE, be it resolved that Bonneville County, Idaho does hereby grant the City of Idaho Falls, Idaho permission to utilize the above described right-of-ways for construction of sanitary sewerlines and related facilities subject to the following conditions:

1. The City of Idaho Falls will be responsible for all construction costs associated with the project.
2. The City of Idaho Falls will be responsible for all roadway maintenance during the construction period including snow removal.
3. The City of Idaho Falls will be responsible for restoring the roadway maintenance surface to a condition equal to its original condition following all construction activities.
4. The City of Idaho Falls shall insure that said construction does not interfere with the normal operation of the roadway following completion of construction.
5. The City of Idaho Falls shall be responsible for all operation and maintenance costs and procedures associated with said new sanitary sewerline following construction completion.
6. The City of Idaho Falls agrees to indemnify and hold harmless Bonneville County against and from all liability, losses, damages and judgements which may or might arise or result from the construction and maintenance of said sanitary sewerline.

Agreed to this 24<sup>th</sup> day of May, 1979.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ Thomas Campbell  
MAYOR

The City Attorney drew attention to the fact that, if this agreement were approved, the City would be responsible for six conditional requirements as above outlined. It was moved by Councilman Sakaguchi, seconded by Hovey, that this agreement be accepted 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, this memo was submitted:

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City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: TELEPHONE LINE EASEMENT

The Sewer Department collection system crews are to be headquartered in the garage building at the Sewage Treatment Plant. In order to supply that building with telephone service the Telephone Company has requested that the City grant an easement for underground cable from the sludge handling building over to the garage building. This is all on city property but the Telephone Company requires an official easement for their underground lines that are not in public right-of-ways.

We request that the Mayor be authorized to sign the attached document.

s/ Don

It was agreed that it would behoove the City to approve this right-of-way agreement so that telephone services could be provided to the garage building from the sludge handling building at the Sewage Treatment Plant; however, it was learned that the City Attorney had not seen the document. Therefore, it was moved by Councilman Sakaguchi, seconded by Hovey, that this right-of-way easement in favor of the telephone company be granted and the Mayor be authorized to sign, subject to final approval by the City Attorney as to legal form. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Traffic Safety Committee, with eight traffic recommendations, was presented:

May 16, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Traffic Safety Committee  
SUBJECT: TRAFFIC RECOMMENDATIONS

1. NO PARKING on west side of Skyline Drive immediately south of Grandview in front of the vacant lot.
2. Establish two (2) hour parking on Skyline from Broadway to Grandview. (34 of 36 homeowners favor the two hour restriction).
3. Placement of STOP signs stopping Coachman and Singletree at Evans.
4. Deny a Pedestrian Crossing on Anderson Street between Sears and Yost's Office System.
5. Establish School Crosswalk on Pancheri at Dickson now that the bridge is completed across the canal on Brentwood.

6. Placement of STOP sign on Vernon at Wheeler.
7. Establish No Parking on the west side of Boulevard in front of Hawthorne School from the alley to the north to approximately 142 feet south of the crosswalk at 15<sup>th</sup> Street.
8. Remove the two (2) hour parking on the east side of Capital Avenue, between "C" and "D" Streets and on the east side of Memorial between Louis and Legion Drives.

s/ Robert D. Pollock

With reference to recommendation No. 1, it was moved by Councilman Clark, seconded by Freeman, that this No Parking zone be approved. Roll call as follows: Ayes, 6; No, none; carried.

Recommendation No. 2 was then reviewed. In answer to a question by Councilman Hovey, Police Chief Pollock appeared briefly to say that parking along this roadway is excessive, due to the fact that it is a bus route and site workers park their vehicles all day. Hovey questioned the logic of converting this portion of Skyline to two hour parking on the grounds that if these site workers were no longer permitted to park on said street all day, they would then park on the adjacent side streets which would cause similar objection from the then affected residents. Pollock concurred and added that this same problem had been experienced at other locations throughout the City where bus routes and stops are established. It was moved by Councilman Clark, seconded by Freeman, that this recommendation be respectfully denied. Roll call as follows: Ayes, 6; No, none; carried.

With reference to recommendation No. 3, it was moved by Councilman Clark, seconded by Freeman, that installation of these STOP Signs be approved at the locations as indicated. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk was instructed to record the fact that Recommendation No. 4 had been withdrawn.

Recommendation No. 5 was then considered. It was moved by Councilman Clark, seconded by Freeman, that the school crosswalk on Pancheri at Dickson be established for the reason as stated. Roll call as follows: Ayes, 6; No, none; carried.

The Police Chief explained that recommendation No. 6, calling for a STOP sign on Vernon at Wheeler was prompted because Vernon is a graveled street. It was moved by Councilman Clark, seconded by Freeman, that this STOP sign be authorized for the reason as stated. Roll call as follows: Ayes, 6; No, none; carried.

Recommendation No. 7 was then reviewed. The Police Chief explained that the west side of Boulevard in front of Hawthorne School to the distances north and south as indicated in the memo was at one time signed but was omitted the last time the curbing was painted. It was moved by Councilman Clark, seconded by Freeman, that the No Parking area be re-established as stated. Roll call as follows: Ayes, 6; No, none; carried.

Finally, recommendation No. 8 was considered. Councilman Freeman suggested that this proposal might well be tabled until the downtown parking experiment has been studied and analyzed. This met with general Council concurrence. The Mayor concurred and added that, in his opinion, this was a parking rather than a traffic problem. It was moved by Councilman Clark, seconded by Freeman, that this recommendation, for the time being at least, be referred to the downtown parking committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that Council meetings for the month of July would be held July 12<sup>th</sup> and July 26<sup>th</sup> as the regular dates conflicted with the 4<sup>th</sup> of July and, also, the A.I.C. State Convention.

MAY 24, 1979

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**ORDINANCE NO. 1587**

AN ORDINANCE REPEALING SECTION 6-10-14, CITY CODE OF IDAHO FALLS, IDAHO; ESTABLISHING PROCEDURES AND REQUIREMENTS FOR LICENSING OF OPERATORS OF COMMERCIAL WATERCRAFT WITHIN THE LIMITS OF THE CITY OF IDAHO FALLS, IDAHO; DEFINING "COMMERCIAL WATERCRAFT"; ESTABLISHING LICENSE REGULATIONS AND PROCEDURES FOR APPLICATION FOR OPERATOR'S LICENSES; SETTING FORTH RESTRICTIONS ON ISSUANCE OF LICENSES; PROHIBITING THE OPERATION OF COMMERCIAL WATERCRAFT WITHOUT LICENSE; PROVIDING FOR THE INVESTIGATION OF APPLICANTS BY CHIEF OF POLICE AND PROVIDING FOR THE INSPECTION OF COMMERCIAL WATERCRAFT AND DOCKS BY THE CHIEF OF POLICE; PROVIDING FOR THE EXPIRATION OF LICENSES; SETTING FORTH FEES FOR LICENSES AND INSURANCE OF LICENSES; PROHIBITING THE OPERATION OF COMMERCIAL WATERCRAFT WITHOUT INSURANCE; PROVIDING FOR REVOCATION OF LICENSES; SETTING FORTH DOCK REQUIREMENTS; PROVIDING FOR COMPLIANCE WITH STATE AND FEDERAL REQUIREMENTS PROVIDING FOR THE SETTING OF FEE SCHEDULES BY OPERATORS; FIXING PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

Councilman Erickson asked the City Clerk to present and read aloud the following memo from Chuck Deming, Golf Course Operational Supervisor:

City of Idaho Falls  
May 24, 1979

MEMORANDUM

TO: Mr. Mel Erickson  
FROM: Mr. Chuck Deming  
SUBJECT: CLOSURE OF GOLF COURSES

MAY 24, 1979

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I would like to recommend that the City close Pinecrest and Sand Creek Golf Courses on alternate Mondays starting this year on June 3 through the last Monday in August. The reason being it will speed up and allow us to use our pesticides more efficiently and also top dressing greens and tees. We will also be able to do the work faster, for less money, and will bother the golfers less.

s/ Chuck Deming

Erickson registered an opinion to the effect that this pesticide and top dressing program could now be accomplished as proposed, as there are two municipally owned golf courses in play. Also, continued Erickson, this program, even though it might result in slightly lower revenue, has merit as it would be so beneficial in the proper maintenance of both golf courses. It was moved by Councilman Erickson, seconded by Freeman, that this maintenance program, as proposed, be authorized and approved. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Erickson, that the meeting adjourn at 9:15 P.M., carried.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ Thomas Campbell  
MAYOR

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