

**MARCH 22, 1979**

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Prior to calling the meeting to order, the Mayor acknowledged the presence of a night government class, consisting of high school students from several high schools within the immediate area. The Mayor called upon one of the students, Sue Griffith, 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 Jim Freeman, Paul Hovey, Sam Sakaguchi, Ralph Wood, and Charles Clark. Absent: Councilman Mel Erickson. Also present: Roy C. Barnes, City Clerk; Simon Martin, Assistant City Attorney and all other available Division Directors.

Minutes of the last regular meeting, held March 8<sup>th</sup>, 1979 were read and approved.

The Mayor asked that Mr. Warren Wheeler, a City employee retiree, be escorted to the Council table. It was noted that Warren had, for the past twenty one years, been employed as a sanitation department worker and that he was forced into retirement because of reasons of health. The Mayor commended Warren for this long period of service in a little appreciated department that has gained an enviable reputation for the valuable service it renders the public. He presented him with an inscribed billfold as a token of appreciation and wished him well during his future years of retirement, after which he received a congratulatory handshake from all City Officials around the Council table.

The Mayor then asked that Mr. Judd Thompson, a City employee retiree, be escorted to the Council table. It was noted that he had been employed by the Electrical Division of the City for the past 23 years as a plant operator, a highly skilled position. The Mayor commended Judd for his many years of dedicated service in this capacity and presented him with an inscribed billfold as a token of appreciation and wished him well during his future retirement, after which he received a congratulatory handshake from all City Officials around the Council table.

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

City of Idaho Falls  
March 22, 1979

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: REZONING REQUEST - LOTS 4, 5, 6, BLOCK 2, RAPPLELYE  
ADDITION

Attached is a copy of a petition requesting a rezoning of the above described property from R-1 to P-B (Professional Business). This petition has been submitted by Mr. & Mrs. Keith Skaar.

Also attached are copies of a petition from property owners in the area opposing the rezoning, correspondence from the petition supporting the request.

This matter was recently the subject of a public hearing at the City Planning Commission level. At that time, the Commission recommended denial of the request. This Department concurs with the recommendation of the Planning Commission and this matter is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

Asked for comment, Ben Inman from the Building Administrator's Office appeared briefly to pinpoint this location on a map. It was learned that the three lots in question are located at a point, generally, where Dunbar and Wadsworth merge and intersect East Anderson, said lots fronting on East Anderson. Noting from the foregoing memo that this request had been denied by the Planning Commission, Inman explained that there were many nearby neighbors who had appeared at that hearing and registered protest on the grounds that said rezoning, if allowed, would add to the already existing traffic problem, and, also, that this would break precedent for the remaining R-1 zoning along Anderson. Inman noted that the comprehensive plan calls for R-1 zoning in this area. He said the immediate plan by the landowners in the event the rezoning was granted, would be to convert the existing single-family residences into offices.

Mr. Ron Rhead, 190 East Anderson, one of the petitioners, appeared before the Council to say that the land in question is no longer conducive to residential zoning because of the ever growing commercialization of Anderson and the heavy traffic. On the other hand, continued Rhead, in deference to the nearby residents located on Dunbar and Wadsworth Streets, he and the other landowners felt that the residents were entitled to more consideration than a commercial zone and, thus, their request for a P-B zone which, in their opinion, would enhance the area.

Mrs. Virginia Stultz, 960 West Elva, another one of the petitioners, appeared briefly to concur with the remarks of Mr. Rhead, adding that more than one effort had been made to sell these three lots and the only buying interest came from commercial minded prospective purchasers.

Mrs. Stultz concluded her remarks by saying that the recently created P-B zone would be satisfactory to the petitioners and should prove acceptable to the nearby neighbors.

Mr. Jean Tracy of the Tracy Real Estate Company appeared briefly to say that, in his opinion, a P-B zone should constitute good planning, particularly in view of the fact that commercial zoned areas are prevalent throughout the area.

Mr. Sherwood Johnson, 1285 Wadsworth, appeared before the Council, drawing attention to the fact that the line has been held on R-1 zoning for quite a distance, east on Anderson and it is the hope of all near-by neighbors that this remains unchanged. He said any type of lower zoning than R-1 would set a precedent, increase traffic and tend to devalue residential home sites. Continuing, Johnson admitted that this situation would likely change sometime in the future, due to surrounding development but that, in his opinion, such a rezoning request at this time is premature, especially in view of temporarily depressed real estate values. Johnson said it was generally acknowledged that, sometime in the future, the entire residential area would probably be forced into a lower zone, such as P-B, in order to obtain maximum property values but, meanwhile, until such action is deemed necessary and appropriate, the residents should be entitled to continued peace and quiet.

Mrs. Beulah Smith, 186 Wadsworth, appeared briefly to say that, unlike other segments of Anderson Street, this particular portion has sidewalks which is a safety factor for the children whereas, in the event any type of commercial zone were permitted, including P-B, it would be necessary to eliminate the sidewalks, in part, in favor of vehicular entrances and exits.

The following petition of protest, with 33 signers, was presented and read aloud by the City Clerk:

HONORABLE MAYOR & CITY COUNCIL

We, the undersigned property owners hereby protest to the rezoning of property located in the Rappleye Addition, Block 2, Lots 4, 5, and 6, (property located on the south side of Anderson Street, west of the Intersection of Dunbar Avenue and Wadsworth Drive, and across the street from Bear's Service Station).

There were others, unable to be in attendance, who had sent word that they objected to this proposed rezoning, as follows: John Larson, 243 Dunbar, Zelma Ockerman, 195 Wadsworth, William Estes, 215 Dunbar, also unable to be in attendance, sent word that he had no objection to this re-zoning request.

Councilman Freeman, speaking in behalf of the Planning and Zoning Committee, said the City Council must study this problem and make a decision based upon compatibility. He said his committee was sympathetic with the existing residential area as heretofore indicated and also the arguments propounded that chipping away at said residential area with commercial or semi-commercial zoning should be avoided as long as possible. Noting a sizable contingent of citizens present in the Council Chamber on this issue, Freeman urged that, in the interests of time, there be no further protests registered unless said protests were to contain arguments not heretofore submitted. Instead, Freeman asked for a show of hands of all of those who were present for the purposes of protesting this re-zoning request. Without an actual count, it was estimated that 30 to 40 hands were raised. In view of this response, it was moved by Councilman Freeman, seconded by Clark, that the recommendation of the Planning Commission be upheld and this rezoning request be respectfully denied. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk reported that he had, in the interests of time, published two legal notices without formal Council approval, as follows: Notice of public hearing on April 5<sup>th</sup> to consider the initial zoning, subject to annexation, of an area to be known as Westfield Plaza, Division No. 2; also, notice of public hearing on April 5<sup>th</sup> to consider a rezoning petition. It was moved by Councilman Freeman, seconded by Clark, that these actions be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

Also, according to the City Clerk, an invitation for bids had been published without formal Council approval, in the interests of time, for a project referred to as "Completion of Urban Renewal Area Improvements." It was moved by Councilman Hovey, seconded by Wood, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Continuing with matters requiring Council ratification, the City Clerk noted that a summons had been received by his office in connection with a John Doe damage claim for injuries allegedly sustained within the showers of the Bonneville County Jail and that copies of said summons had been forwarded to the City's liability insurance carrier and the City Attorney on March 12<sup>th</sup>. It was moved by Councilman Hovey, seconded by Freeman, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Finally, under matters requiring Council ratification, this damage claim was presented:

Mt. States Telephone  
& Telegraph Company

Cost to repair cut cable on 2-12-79 at 112 Camerson.

Labor Costs and Loadings	\$66.04
Material Costs	14.25
Miscellaneous Expense - Motor Fuel	<u>3.25</u>
TOTAL	\$83.54

It was explained that this had been forwarded to the City's liability insurance carrier on March 20<sup>th</sup> without Council approval. It was moved by Councilman Hovey, seconded by Freeman, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

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License applications for GROCERY STORE, Harvey's Store, D. C. Natural Foods, Ira's Meat Block, Albertson's, 17<sup>th</sup> Street, Grand Central, Safeway Store, 17<sup>th</sup> Street, Speedi-Mart, Safeway, N. Yellowstone; RESTAURANT, Anne Kearns for Anne's Arctic Circle, Wilkinson's Arctic Circle, Deseret Industries, Inc., Wrangler Roast Beef, Shakey's Pizza Parlor, Cook's A & W, Bowl-Ero, Albertson's, 17<sup>th</sup> Street, Canteen Food Vending, 19<sup>th</sup> Hole Café, Orange Julius, Ada's Café, Taco Time, Norma's Aunt Fanny's, SkyVu Theatre, North Hiway Café, The Smoke House, Riverview Hospital, Parkview Hospital; DAIRY, Reed Brothers; JOURNEYMAN ELECTRICIAN, Gordan Turnbow, Roger H. Sandberg, Carl Carlson, Richard M. Storer, Randy Peterson, Blaine Hogue; APPRENTICE ELECTRICIAN, Scott H. Scherbinske with Wheeler Electric, Philip Oakes with Wheeler Electric, Jeff Eaton with Jack Flynn Homebuilders; JOURNEYMAN PLUMBER, Lynn M. Andrus, Jay F. Pincock; APPRENTICE PLUMBER, Delbert Stiffler with J. & R. Plumbing; JOURNEYMAN CLASS C, GAS FITTING, WARM AIR, Robert James Schriener; SUNDAY MOTION PICTURE, Centre Theatre, Rio Theatre, SkyVu Theatre, Inc.; COMMERCIAL KENNEL, Northgate Veterinary Hospital, Eastside Veterinary Hospital; NON-COMMERCIAL KENNEL, Ellen Campbell; BOWLING LANES, Bowl-ero; HOTEL, Hotel Idaho; MOTEL, Motel West, Driftwood Motel, Riverview Motel, Motel "6"; PAWN BROKER, Shamrock Coin, White & Wickham Dist., Leymaster; PHOTOGRAPHY, Melville's, Photography by Hart, Perk's Photo Service, S. Darrell Reeder, Photography by Larsen, Staker Photography; SECOND HAND STORE, Bob's Trading Post; BEER, canned and bottled not to be consumed on the premises, Albertson's, 17<sup>th</sup> Street; BEER, canned and bottled to be consumed on the premises, 19<sup>th</sup> Hole Café, Townhouse Restaurant; PRIVATE PATROLMAN, Harry J. Basbinder, Robert Warren, Charles R. Crow, Freddie Dunn Stoll, Frank Lee Soderberg, J. Vernon Tidwell, Terrell A. Toone, Roy King Bernhardt; BARTENDER, Woodena Colson, Bonnie J. Rolph, Sherry Green, Fanny Hernandez, R. Wayne Little, Mary Jo Shinderling, Charmain Smidt, Robert McShannock;; LIQUOR, Townhouse Restaurant, 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 notice of special Council meeting was presented by the City Clerk:

**NOTICE OF SPECIAL CITY COUNCIL MEETING**

Pursuant to Section 50-604 of the Idaho Code and Section 1-10-2 of the Code of the City of Idaho Falls, Idaho, notice is hereby given that there will be a Special Meeting of the City Council of the City of Idaho Falls, Bonneville County, Idaho on Tuesday, March 27, 1979 at the hour of 7:30 P.M. in the Council Chamber. The purpose of the meeting is to consider and adopt ordinances authorizing the issuance and sale and providing the terms of \$36,150,000 of Electric Revenue Bonds, Series 1979 of the City of Idaho Falls, Idaho; also, to consider other official documents pertaining to said bonds; also, to consider an ordinance authorizing the issuance of L.I.D. bonds in Local Improvement District Number 52.

Dated this 23<sup>rd</sup> day of March, 1979.

s/ Thomas Campbell

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It was moved by Councilman Hovey, seconded by Freeman, that authorization be granted to publish this notice as indicated. Roll call as follows: Ayes, 5; No, none; carried.

From the City Controller came this memo:

City of Idaho Falls  
March 13, 1979

MEMORANDUM

TO: Mayor Thomas Campbell and City Council  
FROM: John D. Evans, Controller  
SUBJECT: MUTUAL RELEASE AGREEMENT – FEDERAL CONSTRUCTION  
CO. MUNICIPAL LIBRARY

Attached are copies of a Mutual Release Agreement from the Federal Construction Co. and United Pacific Insurance Co. for funds retained by the City on the Library Landscaping and Sprinkling system project.

This release has been accepted by Wm. Bates, Jeanne Goodrich, and the Library Board in settlement of the final claim.

It is my recommendation that you approve the release and authorize the City Clerk and Mayor to sign these documents.

s/ John D. Evans

It was moved by Councilman Hovey, seconded by Freeman, that this mutual release agreement be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the General Services Director was presented:

City of Idaho Falls  
March 22, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-79-14, MANHOLE AND CATCH BASIN CLEANER

It is the recommendation of the Public Works and General Services Divisions that the City Council accept the low bid of Western Road and Machinery to furnish the one (1) manhole and catch basin cleaner at \$15,390.00 as per bid.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Hovey, that the low bid of Western Road and Machinery in the amount of \$15,390.00 be accepted for a manhole and catch basin cleaner. Roll call as follows: Ayes, 5; No, none; carried.

Another memo from the General Services Director was submitted, to-wit:

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City of Idaho Falls  
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MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-79-14, VEHICLES

It is the recommendation of the General Services Division that the City Council accept the following bids to furnish City replacement vehicles as per bid:

Smith Chevrolet

(1)	Compact Pickup (Insp.) with trade	\$ 4,450.00
(2)	½ Ton Pickup (Parks) with trade	11,274.00
(1)	¾ Ton Pickup (Water) with trade	5,605.00
(1)	4 Door Sedan (Water) without trade	5,885.00
(1)	Van-Survey (Eng.) with trade	6,965.00

Ellsworth Brothers

(1)	½ Ton Pickup (Insp.) with trade	5,277.00
(2)	½ Ton Pickup (Clerks) with trade	10,454.00
(1)	Van (Insp.) with trade	7,027.00

B.A. Wackerli

(2)	½ Ton Pickup (Sewer) with trade	11,380.00
(1)	¾ Ton Pickup (Eng.) with trade	5,547.00

Thank you,  
s/ Chad Stanger

It was moved by Councilman Sakaguchi, seconded by Hovey, that in each instance, the low bid of the vendor as indicated be accepted for the vehicle or vehicles as described. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls  
March 22, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: ADVERTISE FOR WATER MAIN CONSTRUCTION

Plans and Specifications are now nearly completed for the water main connecting Well No. 13 to the Bel Aire Addition. This project has been budgeted

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and we are requesting authorization for the City Clerk to advertise for competitive bids.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that authorization be granted to advertise for bids for this project as described. Roll call as follows: Ayes, 5; No, none; carried.

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

City of Idaho Falls  
March 22, 1979

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: PRELIMINARY ENGINEERING AGREEMENT FOR THE IDAHO CANAL BRIDGE ON LINCOLN ROAD

We are submitting herewith two copies of a Resolution and Preliminary Agreement with the Idaho Transportation Department. This agreement is for the specific purpose of having the Division of Highways aid in the developing of construction plans and specifications for this bridge. The design itself is well underway by Forsgren & Perkins and has now reached the point of review by the Division of Highways. This agreement calls for a \$3,000 payment by the City and that portion of this payment which is not used will be placed into the City's holding account. We are recommending that the Mayor and City Clerk be authorized to sign the City's approval and that the City Controller be authorized to issue a warrant in the amount of \$3,000.

s/ Don

The foregoing memo served to introduce this resolution:

**R E S O L U T I O N (Resolution No. 1979-04)**

WHEREAS, the Idaho Transportation Department, Division of Highways, hereinafter called the State, has submitted a Cooperative Agreement stating obligations of the State of Idaho and the City of Idaho Falls, Idaho, for the construction of a bridge at M.P. 2.01 over Idaho Canal and approaches on Lincoln Road on 0.1 mile of F.A. Urban System, under Federal Aid Project M-7046(005); and

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

WHEREAS, certain functions to be performed by the State involve the expenditure of funds as set forth in the Cooperative Agreement; and

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

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

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

NOW, THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement for Federal Aid Highway Project M-7046(005) is hereby approved.
2. That the Mayor and the City Clerk are hereby authorized to execute the Cooperative Agreement on behalf of the City.
3. That duly certified copies of the resolution shall be furnished the Idaho Transportation Department, Division of Highways.

It was moved by Councilman Sakaguchi, seconded by Hovey, that this resolution be adopted and passed; also, that the Mayor and City Clerk be authorized to sign this preliminary engineering agreement for development of construction plans for the Idaho Canal Bridge, referred to as Project No. M-7046(005); also that the Controller be authorized to issue a warrant in the amount of \$3,000 representing the City's share of this project. Roll call as follows: Ayes, 5; No, none; carried.

From the Parks and Recreation Director came this memo:

City of Idaho Falls  
March 22, 1979

MEMORANDUM

TO: Mayor and City Council  
FROM: Ernest Craner, Director  
SUBJECT: JACK FLYNN – SHAMROCK PARK

Request that the City of Idaho Falls enter into an agreement with Mr. Jack Flynn for acquisitions of 4.4 acres of ground and improvements known as Shamrock Park.

s/ Ernest Craner

Councilman Freeman explained that this land was being donated by Jack Flynn, local developer, and that if it were to be accepted by the City it would be with the intention that it would be turned to the Idaho Park Foundation as the holding agent until the City was in a position to develop as a public park, hopefully with Federal Land and Water Conservation funds. It was moved by Councilman Freeman, seconded by Clark, that with this understanding, the City accept the 4.4 acres in question and the Mayor and City Clerk be authorized to sign a parks maintenance and acquisition agreement between the City and Mr. Jack Flynn accordingly. Roll call as follows: Ayes, 4; No, one; carried. Councilman Hovey voting no.

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In view of the foregoing action, Flynn presented an amended plat of the area in question, previously prepared by his engineer, which would change the wording on said plat, with references to the 4.4 acres, from "private park" to "public park". It was moved by Councilman Freeman, seconded by Clark, that this amended plat be accepted and the Mayor and City Clerk be authorized to sign, subject to the approval of the City Attorney and City Engineer. Roll call as follows: Ayes, 4; No, one; carried. Councilman Hovey voting no.

This memo from the Director of Aviation was presented:

City of Idaho Falls  
February 16, 1979

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Committee  
SUBJECT: LEASE AND CONCESSION AGREEMENT FOR INTER-COMMUNITY BUS SERVICE

Yellowstone Park Company has submitted a request to provide inter-community bus service facilities between the Airport and certain terminus outside the City.

The Airport Committee recommends that the City Council authorize the Mayor and City Clerk to execute the attached lease and concession agreement.

s/ Tom Miller

It was moved by Councilman Clark, seconded by Wood, that this lease and concession agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

Another memo from the Director of Aviation was submitted, as follows:

City of Idaho Falls  
March 22, 1979

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Committee  
SUBJECT: REVISED AIRPORT OPERATIONAL RULES AND REGULATIONS

The existing Airport Operational Rules and Regulations were adopted by the City Council in 1967. A review of the regulations indicated a need to modernize the terminology of various sections.

The City Attorney has reviewed and approved the revisions.

It is requested by the Airport Committee that the Mayor and City Council approve the revised Airport Operational Rules and Regulations as submitted.

s/ Tom Miller

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It was moved by Councilman Clark, seconded by Wood, that this revision to the Airport Operational Rules and Regulations be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

Continuing with memos from the Director of Aviation, the following was submitted:

City of Idaho Falls  
March 22, 1979

MEMORANDUM

TO: Mayor and City Council  
FROM: Airport Committee  
SUBJECT: FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT,  
AMENDMENT NO. 2 FOR THE AIRPORT TERMINAL EXPANSION  
PROJECT

The acceptance by the City of the Federal Aviation Administration Grant Agreement, Amendment No. 2, will accomplish the following:

1. Secure the 1979 airport enplanement fund from the Federal Aviation Administration in the amount of \$434,265.00.
2. Secure the Economic Development Administration Grant in the amount of \$720,000.00.

The Grant Amendment, as well as the accompanying Resolution, has been reviewed and approved by the City Attorney.

The Airport Committee requests approval of the Mayor and City Council of the Federal Aviation Administration Grant Agreement, Amendment No. 2.

s/ Tom Miller

The foregoing memo served to introduce the following resolution:

**RESOLUTION (Resolution No. 1979-05)**

A RESOLUTION OF THE CITY OF IDAHO FALLS, IDAHO, accepting the Grant Offer, Amendment No. 2, of the United States of America through the Federal Aviation Administration in the maximum amount of \$1,796,428.00 to be used under the Planning Grant Program Project No. 6-16-0018-04 in the development of the Idaho Falls Municipal Airport; and,

BE IT RESOLVED: by the members of the City Council of the City of Idaho Falls, Idaho, as follows:

Section 1. That the City of Idaho Falls shall accept the Federal Aviation Administration Grant Offer of the United States of America in the amount of \$434,265.00, for the purpose of obtaining Federal Aid under Project No. 6-16-0018-04 in the development of the Idaho Falls Municipal Airport; and,

Section 2. That the City of Idaho Falls shall accept the Economic Development Act Grant Offer of the United States of America in the amount of \$720,000.00 for the purpose of obtaining Federal Aid under Project No. 6-16-0018-04 in the development of the Idaho Falls Municipal Airport; and,

Section 3. That the Mayor of the City of Idaho Falls is hereby authorized and directed to sign the Statement of Acceptance of said Grant Offer, Amendment No. 2 (Page 2) on behalf of the City of Idaho Falls, and the City Clerk is hereby authorized and directed to attest the signature of the Mayor and to impress the official seal of the City of Idaho Falls on the aforesaid Statement of Acceptance; and,

Section 4. A true copy of the Grant Offer, Amendment No. 2, referred to herein is attached hereto and made a part hereof.

It was moved by Councilman Clark, seconded by Wood, that this Resolution be adopted and the Mayor and City Clerk thereby be authorized to sign Amendment No. 2 to the F. A. A. Grant Agreement pertaining to Project No. 6-16-0018-04. Roll call as follows: Ayes, 5; No, none; carried.

This petition with 39 signers was presented and read aloud by the City Clerk:

**PETITION**

We, the undersigned property owners living on Tautphaus Drive, respectfully petition and request that Tautphaus Drive, between South Boulevard and Calkins, be seal coated this spring or summer. Nothing, whatever, has been done to preserve the integrity of the paving since the pavement was originally laid over twenty (20) years ago. Thus, it is rapidly deteriorating and is in bad need of repair and upkeep.

It was moved by Councilman Sakaguchi, seconded by Hovey, that this matter be referred to the Public Works Committee for study and consideration. Roll call as follows: Ayes, 5; No, none; carried.

The following was presented and read aloud at the request of the Mayor:

Editor, The Post Register:

I too feel that the conditions of Tautphaus Zoo are a far cry from being desirable, but I don't think anyone should try to place the blame on any person, persons, or even the City of Idaho Falls itself without at least suggesting some idea of a solution.

Didi Brown, in a letter to the editor last week, suggested that the zoo animals be "put out for adoption to other well-run zoos around the country". I agree that the animals should be put up for adoption but not to other zoos.

I think these exotic animals should be put up for adoption by the citizens of Idaho Falls. It is obvious that there are many concerned residents of our community that want to see these animals have a cleaner and better way of life. Let's give these concerned citizens an opportunity to adopt their favorite animals.

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Here's how it would work: First, let's get the concerned parties together and form an adoption committee. This committee will be responsible for pairing up the animals to be adopted with their adoptive "Parents". Adoptive parents can consist of any group of individuals, whether it be a boy scout troop, a ladies club, a CB club, a civic group, a group of neighbors, a group of employees or businessmen, or any group of concerned animal lovers. These adoptive "parents" would be allowed to "adopt" the animal or group of animals of their choice. After studying present conditions, they would then propose to the committee any changes or improvements they would wish to make for their adopted animals. Examples of these could be to repair and paint the cages, build new shelters suited to the animal's natural habitat, plant foliage to shelter and comfort the animals if room and other conditions allow, build or modify animal runs where possible (some runs might even be used on a "time-sharing" plan) or almost anything else deemed necessary or desirable for the animals, provided it is within the realm of available space and approved by the committee. The "parents" would then be responsible to raise the money or materials for the improvements for their adopted animals either by donation from members of the group, work projects or other means of their choice. Then, when the needed materials are on hand, the zookeeper can make arrangements for the cage to be vacant for a reasonable period of time while the parents donate a little elbow grease to make these improvements. The parents would then be presented a small plaque to place on the cage to let the visitors to the zoo know who the concerned "adoptive parents" of that animal are. The group would then have the responsibility of maintaining the improvements.

The main advantage of putting these animals up for "adoption" is, of course, to provide them with improved and more common living conditions. But the not-so-obvious benefit is the sense of pride and responsibility given in return to the adoptive "parents" who will glow in their contribution to the community. And all this can be done with little or no cost directly to the poor taxpayer. The only added responsibility to the understaffed zoo personnel would be to help the committee schedule the work and approve the plans submitted to them.

As far as the financial status of the zoo is concerned, possibly, a box could be placed somewhere inside the zoo for voluntary contributions. Many people from Rexburg, Rigby, Blackfoot, Pocatello, and many other surrounding communities bring their families to visit the animals at Tautphaus Zoo simply because the next nearest zoo is located in Salt Lake City, quite a distance away. Maybe some of these obvious animal lovers, along with many from our own community would wish to donate some pocket change or even a few dollars to supplement City funds to maintain the Zoo and feed the animals. A beautiful zoo is something every resident of Idaho Falls should use and be proud of.

s/ Dale Walker

The Mayor noted that, by cover letter, Mr. Walker had explained that this was prepared as a letter to the Editor of the local newspaper but was rejected because it exceeded the 300 word limit. Mr. Walker then sent it to the Mayor, requesting that it be submitted to the City Council.

Councilman Freeman reported that, because of the many letters to the editor pertaining the habitat conditions for certain animals at Tautphaus Park Zoo, this issue had been discussed at a Parks and Recreation Commission meeting. Continuing, Freeman said a

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zoological society had recently been formed and they are now in the process of establishing by-laws and have called upon some of these citizens who have written letters to the Editor for their input. Freeman suggested that Mr. Walker also be included and contacted for the same reason. It was moved by Councilman Freeman, seconded by Clark, that this letter be referred to the Parks and Recreation Commission for study and consideration. Roll call as follows: Ayes, 5; No, none; carried.

Due to the untimely death of Dr. Joe Hatch, the Mayor expressed the need for a replacement appointment to the position of City Physician. The Mayor reported that Dr. Harvey Hatch and Dr. John Hatch had volunteered the continuing services of the Hatch Clinic but, inasmuch as the appointment must be that of an individual, the Mayor proceeded to appoint Dr. Harvey Hatch as City Physician. It was moved by Councilman Sakaguchi, seconded by Wood, that this appointment be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

At the request of City Controller Evans, the Mayor declared that said appointment be retroactive back to the date of Dr. Joe Hatch's death.

Assistant City Attorney Martin reported that, because there had been such an extended time period since bids had been opened on the two primary construction contracts pertaining to the airport expansion program and, also, because the low bidders had never been formally notified that their bid had been or would be accepted both the affected prime and sub-contractors had registered the need for assurance, in writing, that the low bids would be accepted as soon as all necessary financing for the airport expansion had been verified, including the sale of \$2,750,000 airport revenue bonds. With that brief explanation, then, Martin proceeded to introduce the following resolution:

**RESOLUTION OF INTENT TO AWARD**  
**(Resolution No. 1979-06)**

(Notification of low bidders on proposals for expansion of the Idaho Falls Airport Terminal Building and construction of site improvements as part of the Idaho Falls Airport Terminal Building of the City's intention to award contracts; expression of intent to contract for expansion of the Idaho Falls Airport Terminal Building and construction of site improvements, subject to securing total financing for said projects.)

WHEREAS, on November 22, 1978, the City Clerk of the City of Idaho Falls issued an advertisement inviting bids for sealed proposals for the expansion of the Terminal Building at the Idaho Falls Municipal Airport, and on November 29, 1978, the City Clerk of the City of Idaho Falls issued an advertisement inviting bids for sealed proposals for construction of site improvements as part of the expansion of the Airport Terminal Building at the Idaho Falls Municipal Airport; and,

WHEREAS, upon opening said sealed proposals, it was determined that Idaho Falls Electric, Inc., an Idaho Corporation, dba Heyrend Construction Company, is the lowest responsible bidder for the expansion of the Airport Terminal Building at the Idaho Falls Municipal Airport project, and Robert V. Burggraf Company is the lowest responsible bidder for the construction of site improvements as part of the expansion of said Airport Terminal Building at the Idaho Falls Municipal Airport project; and,

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WHEREAS, on the 9<sup>th</sup> day of May, 1978, the residents of the City of Idaho Falls, in a bond election, authorized the City of Idaho Falls to issue and sell \$2,750,000.00 worth of revenue bonds for purposes of expansion of the terminal building and construction of site improvements as part of the expansion of the Airport Terminal Building at the Idaho Falls Airport; and,

WHEREAS, it is the intention of the City of Idaho Falls to award a contract to Idaho Falls Electric, Inc., dba Heyrend Construction, for the expansion of the Terminal Building at the Idaho Falls Municipal Airport, and it is the intention of the City of Idaho Falls to award a contract to Robert V. Burggraf Company for construction of site improvements as part of the expansion of the Airport Terminal Building at the Idaho Falls Municipal Airport, if, and only if, the City is able to secure total financing for such projects, including the timely sale of bonds pursuant to the bond election and the receipt of revenues therefrom, and the timely securing of all grants from agencies of the Government of the United States of America.

NOW, THEREFORE, BE IT RESOLVED:

That in the event the City of Idaho Falls is able to secure total financing for the expansion of the Terminal Building and construction of site improvements as part of the expansion of the Terminal Building at the Idaho Falls Municipal Airport, all as aforesaid, the City will award contracts to the lowest responsible bidders aforesaid on said respective projects, and shall thereafter proceed with construction pursuant to the contract documents applicable to such projects. That despite this Resolution of Intent to Award, the City of Idaho Falls shall not be liable to said bidders for any losses they may or might incur prior to the actual execution of the contracts, or for any losses they may or might incur in reliance upon this Resolution.

PASSED BY THE MAYOR AND APPROVED BY THE COUNCIL this 22<sup>nd</sup> day of March, 1979.

s/ Thomas Campbell  
Mayor

ATTEST: s/ Roy C. Barnes  
City Clerk

It was moved by Councilman Clark, seconded by Wood, that this resolution be adopted and passed and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

**ORDINANCE NO. 1573**

AN ORDINANCE REPEALING SECTION 3 OF THE ORDINANCE NO. 1409 BEING SECTION 4-5-35, CITY CODE OF IDAHO FALLS, IDAHO; ESTABLISHING WATER RATES AND SETTING FORTH A SCHEDULE OF WATER RATES; ESTABLISHING WATER CONNECTION FEES AND CHARGES FOR WATER CONNECTION PERMIT; SETTING FORTH A SCHEDULE OF FEES

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THEREFOR; MAKING IT UNLAWFUL TO INSTALL OR ALTER WATER LINES WITHIN SAID CITY OR TO TAP ONTO OR CONNECT TO ANY WATER LINE OR MAIN OF SAID CITY WITHOUT FIRST OBTAINING A PERMIT THEREFOR; ESTABLISHING A WATER LINE CAPITAL IMPROVEMENT FUND AND PROVIDING THAT ALL FEES AND CHARGES DERIVED FROM THE ISSUANCE OF PERMITS FOR INSTALLATION OF WATER LINES AND WATER CONNECTIONS SHALL BE PLACED IN SAID FUND; SETTING FORTH THE PURPOSES FOR WHICH MONIES IN SAID FUND MAY BE EXPENDED; 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 Sakaguchi, seconded by Hovey, 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.

Assistant City Attorney Martin then introduced the following:

**RESOLUTION (Resolution No. 1979-07)**

(Re-establishing domestic rates for use of sanitary sewer facilities inside the City of Idaho Falls; re-establishing domestic and commercial rates for use of sanitary sewer facilities outside the City of Idaho Falls; amending the commercial user rates for sanitary sewer facilities inside the City of Idaho Falls)

WHEREAS, The City of Idaho Falls owns, operates and maintains a waste water collection and treatment facility; and,

WHEREAS, the total capital cost and the cost of operation, maintenance and replacement thereof must be derived from user fees based upon their proportionate share of use; and,

WHEREAS, it is necessary to amend the commercial user rates inside the City of Idaho Falls, Idaho;

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO;

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That the following monthly user rates are established for use of the sanitary sewer facilities:

DOMESTIC RATES (INSIDE CITY)

Single or duplex family dwelling, per unit; and Mobile Homes, permanent location	\$ 5.00 per month
Individual apartments	3.65 per month
Motels with cooking facilities, per unit, and trailer courts, per trailer	3.35 per month
Hotels and Rooming Houses and Motels without cooking facilities, per unit	1.00 per month

COMMERCIAL USER RATES (INSIDE CITY)

Commercial users:

Minimum charge	\$ 5.00 per month
Plus water users meter over 10,000 gallons	.50/1000 gal.

DOMESTIC AND COMMERCIAL RATES (OUTSIDE CITY)

One hundred ten percent (110%) times the rates charged inside the City, including minimums.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 22<sup>nd</sup> day of March, 1979.

s/ Thomas Campbell  
Mayor

ATTEST: s/ Roy C. Barnes  
City Clerk

It was moved by Councilman Sakaguchi, seconded by Hovey, that this resolution be adopted and passed and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Sakaguchi introduced a consulting engineering agreement between the City and James Montgomery for a wastewater facilities plan whereby the firm of James M. Montgomery, Consulting Engineers, Inc. would agree to perform a study for the preparation of a Step I Facility Plan in accordance with Appendix A of said agreement having to do with scope of services; also to prepare 25 preliminary draft copies and 75 final plan copies for the City with the understanding that additional copies would be provided for the appropriate State and Federal agencies as required, up to a maximum of 10. Under the terms of this agreement the City would be responsible for furnishing certain services pertaining to data collection, population, land use, economic data, wastewater quality monitoring, infiltration/in flow analysis, computer model calibration and rock profiles. It was moved by Councilman Sakaguchi, seconded by Hovey, that this agreement be accepted and the Mayor and City Clerk be authorized to sign, subject to final approval as to legal form by the City Attorney. Roll call as follows: Ayes, 5; No, none; carried.

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With reference to the aforementioned waste water facility plan, it was moved by Councilman Sakaguchi, seconded by Hovey, that Donald F. Lloyd, Public Works Director, be appointed as the City's representative for proper administration of said study. Roll call as follows: Ayes, 5; No, none; carried.

Police Chief Pollock appeared before the Council briefly to relay a request by Bob Elynn of EG&G for a directional sign to be installed at the NW corner of Fremont Avenue and Science Center Drive. Pollock said EG&G would furnish and install the sign. It was moved by Councilman Clark, seconded by Freeman, that this request be approved. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Erickson, that the meeting adjourn at 8:50 P.M., carried.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ Thomas Campbell  
Mayor

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