

**SEPTEMBER 7, 1978**

The City Council of the City of Idaho Falls met in regular meeting, Thursday, September 7, 1978, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor Tom Campbell; Councilmen Charles Clark, Paul Hovey, Sam Sakaguchi, Jim Freeman, Mel Erickson, and Ralph Wood. Also present: Velma Chandler, Deputy City Clerk; Simon Martin, representing the City's legal firm and all other available Division Directors.

Minutes of the last regular meeting held August 24<sup>th</sup> and special meetings held August 30<sup>th</sup>, 31<sup>st</sup> and September 5<sup>th</sup>, 1978, 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 proposed budget for the fiscal period October 1, 1978 through September 30, 1979, based upon the following proposed revenues and expenditures:

**PROPOSED EXPENDITURES**

	<u>PROPOSED GROSS EXPENDITURES</u>	<u>REVENUE SHARING FED/STATE GRANTS</u>	<u>PROPOSED NET EXPENDITURES</u>
GENERAL FUNDS			
General & Administration	\$ 619,709	\$ ( 10,000)	\$ 609,709
City Clerk	117,840	-----	117,840
Finance	157,410	( 71,000)	86,410
General Services	711,545	( 10,000)	701,545
Police	1,720,275	( 293,500)	1,426,775
Animal Regulations	100,951	-----	100,951
Inspection/Planning/Zoning	228,977	-----	228,977
Parks	796,881	( 30,000)	766,881
Public Works	1,266,302	( 30,000)	1,236,302
Fire	<u>1,622,453</u>	<u>( 71,800)</u>	<u>1,550,653</u>
Total General Fund	<u>\$ 7,342,343</u>	<u>( 516,300)</u>	<u>\$ 6,826,043</u>
STREET FUND	773,001	-----	773,001
AIRPORT FUND	349,400	( 20,000)	329,400
RECREATION FUND	179,935	-----	179,935
BRIDGE AND ARTERIAL STREET FUND	120,000	-----	120,000
*REV SHARING FUND	120,000	( 116,000)	4,000
COMMUNITY DEV FUND	<u>1,468,479</u>	<u>( 1,468,479)</u>	-----
Total Special Rev Fund	<u>\$ 3,010,815</u>	<u>( 1,604,479)</u>	<u>\$ 1,406,336</u>
Subtotal Operating Fund	<u>\$ 10,353,158</u>	<u>( 2,120,779)</u>	<u>\$ 8,232,379</u>
WATER AND SEWER FD	2,661,242	-----	2,661,242
SANITARY SEWER CAPITAL IMPROVE FUND	122,000	-----	122,000
ELECTRIC LIGHT FUND	<u>5,766,625</u>	-----	<u>5,766,625</u>

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Total Enterprise	\$ 8,549,867	-----	\$ 8,549,867
<b>OTHER FUNDS</b>			
Library Fund	415,400	( 20,000)	395,400
E Idaho Regional Library	97,000	( 96,000)	1,000
Mun Fire Improvement Bond Redemption & Interest Fund	42,302	-----	42,302
Mun Cap Improvement Fund	169,100	-----	169,100
Mun Library Bond Fund	193,750	-----	193,750
Mun Airport Bond Fund	<u>61,600</u>	-----	<u>61,600</u>
Total Other Funds	<u>\$ 979,152</u>	( 116,000)	<u>\$ 863,152</u>
<b>TOTAL PROPOSED EXPENDITURES</b>	<u>\$ 19,882,177</u>	<u>\$ 2,236,779</u>	<u>\$17,645,398</u>

**GENERAL REVENUE  
SHARING FUND**

Police Retirement - Unfunded Liability	\$ 180,300
Computer Lease-Purchase	71,000
Fire Station #4/Lease Purchase	32,500
Fire Truck - Lease-Purchase	29,300
Public Safety	83,900
So Capital Ave-Pancheri So	10,000
Bower Street Connection	1,000
Participation W/Developers	59,999
Drainage Projects	40,000
Employee Facility - Phase II	<u>10,000</u>
<b>TOTAL</b>	<b>\$ 517,000</b>

**ESTIMATED REVENUE**

**REVENUE FROM TAX LEVY**

General Fund Levy	\$ 2,940,043
Airport Fund, Special Levy	33,500
Recreation Fund, Special Levy	117,400
Library Fund, Special Levy	272,700
Capital Improvement Fund	134,900
Municipal Fire Improvement Bond Redemption and Interest Fund, Special Levy	32,400
Municipal Library Bond Fund, Special Levy	<u>174,900</u>
<b>TOTAL TAX LEVY</b>	<b>\$ 3,705,843</b>

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Franchises	1,173,300
Licenses and Permits	152,600
Interest and Rentals	289,350
Charges for Current Expenses	1,560,300
Sale of Electrical Energy	5,550,000
Revenue from Other Agencies	1,787,300
*Grants	2,236,779
Other Miscellaneous Revenue	93,750
Water and Sewer System	2,724,000
Library Collections	12,500
Contributions and Interest	<u>119,900</u>
 TOTAL REVENUES	 <u>\$ 19,405,622</u>
 Unappropriated Surplus	 494,969
Less Revenue Reserve	<u>( 18,414)</u>
 TOTAL REVENUES AND SURPLUS FOR APPROPRIATION	 <u>\$ 19,882,177</u>
 * Less Grants Listed Above	 <u>( 2,236,779)</u>
 NET REVENUE AND SURPLUS	 <u>\$ 17,645,398</u>

With reference to this proposed budget, the Mayor emphasized that the slight increase over last year's budget was earmarked for administrative expenditures such as salary increases. The Mayor continued by saying that salaries, in some instances, had not yet been resolved and, therefore, monies so earmarked were placed in the General Fund and would be reallocated when a determination was made, by department, as to need. The Mayor also noted that on August 31<sup>st</sup>, after a public hearing, the Revenue Sharing Budget had been approved by the City Council subject to this hearing. The Mayor pointed out that it would be contrary to City Council policy to appropriate Federal monies for basic, recurring City expenditures such as supplies and salaries. He said some other cities resort to this practice which is deemed unwise by this administration on the grounds that Federal Funds of this nature are subject to being withdrawn and, in such an event, cities using such funds for such purposes would suffer. The Mayor concluded his remarks by saying that, to remain fiscally sound, all recurring expenses should be borne by recurring funds of a local nature that could be relied upon to continue. Councilman Hovey, as Chairman of the Fiscal Committee, distributed copies of the proposed budget and, by the use of screen projection, explained all items for the benefit of those present in the Council Chamber, noting that it represented a balanced budget, as required by law. There were none who appeared to protest or otherwise comment on the 1978-79 budget as proposed. Reference is made to Page 278 in this book of minutes and, more specifically, a public hearing held August 31<sup>st</sup> to provide public participation in the proposed General Revenue Sharing Fund Budget for 1978-79. It will be noted that, during said hearing, the Council took action on a \$10,000 item designated as "Employee Facility Phase II" by deleting same and adding that amount to the Public Safety category. Reflecting said change, then, it was moved by Councilman Hovey, seconded by Erickson, that the proposed budget for the fiscal period October 1<sup>st</sup>, 1978 through September 30<sup>th</sup>, 1979 be approved and adopted. Roll call as follows: Ayes, 6; No, none; carried.

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**ORDINANCE NO. 1561**

AN ORDINANCE PROVIDING FOR THE FISCAL PERIOD (OCTOBER 1, 1978 THRU SEPTEMBER 30, 1979), APPROPRIATIONS OF THE CITY OF IDAHO FALLS, IN THE STATE OF IDAHO, AND FOR THE SEVERAL FUNDS AND PURPOSES DURING SAID PERIOD AND PROVIDING THE AMOUNT OF PROPERTY TAX APPROPRIATED FOR EACH OF SAID FUNDS.

The foregoing ordinance was presented in title. It was moved by Councilman Hovey, seconded by Erickson, 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 Hovey then commended Controller Evans, members of the Council and all Division Heads for their fine cooperation in preparation of this budget.

The Mayor concurred with these remarks and then commended Councilman Hovey, as Chairman of the Fiscal Committee, for his budgetary leadership in formulating a realistic budget and that this accomplishment was comparable in every respect to the budgeting ability of ex-Councilman Karst who, for several years in the past, had been responsible for this all important assignment.

Noting from the agenda that an area to be known as Westfield Plaza, Division #1 was to be considered for annexation, the Mayor invited Councilman Freeman to conduct this portion of the meeting. The City Clerk read aloud this introductory memo from Building Administrator Gilchrist:

City of Idaho Falls  
September 7, 1978

MEMORANDUM

TO: Mayor and Council  
FROM: Rod Gilchrist  
SUBJECT: WESTFIELD PLAZA, DIVISION NO. 1 – FINAL PLAT, ANNEXATION & INITIAL ZONING

Attached is a copy of the final plat, annexation ordinance and annexation agreement of the above described property. This proposed subdivision has been the subject of three public hearings at the Planning Commission level. At these hearings, a considerable amount of concern was expressed by the residents in the area, and several meetings with the developers and adjacent property owners participating were also held, as well as a work session with the same in attendance.

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At the last public hearing the Planning Commission recommended approval of the final plat, annexation to the City and initial zoning of C-1 except for the parcel adjacent to Skyline Drive which was recommended for R-3A zoning. They further recommended several conditions relative to design in the development be included in the annexation agreement. these conditions have been made a part of that agreement.

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

Freeman invited Gilchrist to pinpoint the location of this proposed annexation for the benefit of all present. Asked for comment, about the Planning Commission hearings on this issue, Gilchrist said there had been some objection registered, particularly pertaining to zoning, access and drainage.

In answer to a question by Mr. Don Fletcher, 1809 Avalon, Ed Turner, Design Engineer, appeared briefly to explain that, in accordance with the engineering recommendation, the developer had agreed to construct detention ponds for surface drainage. In answer to a related question by Mr. Tom Cameron, 1735 Carmel, Mr. Jay Herring, engineer for the developer, appeared briefly to say that the detention ponds would be located adjacent to the planned shopping center to the west. In answer to still another related question by Gloria Blanchard, 1834 Carmel, Mr. Herring explained that these detention ponds would be sloping to a maximum depth of about four feet and that there would be fencing separating the ponds for the near-by residents. Mrs. Blanchard registered concern that the ponds, in the event of a flash flood, might not provide adequate protection particularly for the children. Mr. Herring explained that the ponds would be so designed to properly cope with a one inch rain storm and if there were substantially more water than that, water could be released gradually into the dry lines.

At the invitation of Councilman Freeman, the Mayor explained the City's position as pertained to the west side drainage problem. It was learned, now that installation of dry wells is no longer permissible, a logical solution would be to utilize the canals for surface drainage but the canal company frowned on that procedure unless said water was first treated. Continuing, the Mayor noted that an alternate solution, according to consulting engineers, would be to resort to the acquisition of lands for holding lagoons and, if this were done, water could be released over a period of time; however, the Mayor noted that this procedure posed problems; namely, appropriate land for such use was not available and, even so, the cost of transporting the water to the ponds would be exorbitant. Finally, the Mayor concluded his remarks by saying that the ultimate solution is to wait until the area becomes fully developed and then create a storm drainage L.I.D. so that the cost could be distributed among many property owners, rather than attempt to create one now, borne by only a few property owners which, at this time, cost-wise, would be prohibitive.

Mr. Ray Nichols, 1764 Carmel, appeared to express concern about the drainage problem and, more specifically, the fact that development of the area in question might compound the problem. The Mayor explained that there is a provision in the annexation agreement making the developer responsible briefly to say that, according to his engineers, the ponds are so designed that storm water should not pose a problem to the surrounding area. He said additional precautionary measures are being taken to maintain control, inasmuch as the aforementioned fence would be constructed, not as a fence, but as a wall with proper grading to keep the water away from near-by residences. Mr. Hall concluded his remarks by saying that, in his opinion, development of the area in question, as planned,

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would tend to solve the drainage problem, rather than create a greater one. In answer to a question by Mrs. Blanchard, Mr. Hall said the fence or wall would be constructed before the new structures were occupied.

Mr. Ben David, 1794 Carmel, appeared before the Council. He said, even though he had attended all the Planning Commission hearings, he still objected to this planned construction on the grounds that such a development, involving a large grocery store, is not wanted nor needed at this location. David said he also objected to rezoning this property for commercial use, due to its proximity to a residential area. He said it was difficult for him to understand why, in this instance, the Planning Commission veered from their standard practice of recommending a buffer zone between a residential and a commercial development. He said he had no fear, when he purchased his residential property, that its value would eventually be in jeopardy because of a near-by zoning change. David continued by saying that the real problem on the west side is excessive traffic caused, in part, by development and that the streets are not so constructed for proper handling. The Mayor reminded David that the heaviest traveled street, namely Broadway, was the obligation and responsibility of the State, rather than the City.

Ms. Lorraine Rylie, 303 S. Skyline, appeared with several questions recommended that there be an entrance to the shopping area on Skyline to discourage commercial traffic on Carmel; however, he said there would be several curb cuts on Broadway to discourage truck traffic on Skyline. He said the parking area meets all the requirements as prescribed by City Code.

Mrs. Millie Wood, 1698 Carmel, appeared briefly for the purpose of registering opposition to the entire development concept. She claimed she had studied the annexation agreement and had concluded that it contained many errors. By way of illustration, she said her study had revealed that the development area was not large enough for the structure as proposed. She intimated that, in the event of annexation, the residents might consider legal action against the City on the grounds that the City Officials did not act in the best interests of the City. Citing another ambiguity in the annexation agreement, Mr. Cameron re-appeared briefly, noting that, to his knowledge, said agreement did not clearly specify the length of the 6 foot fence or wall. In answer, Mr. Hall said it would run the full length of the area for a distance of approximately 1700 feet. Directing his question to Acting City Attorney Martin, Councilman Freeman asked, in the event the annexation agreement was approved this night and found in need of amendment at a later date, could this be done with the consenting approval of Mr. Hall. Martin advised that, if any future modification of the agreement was considered to be likely or imminent, it should not be approved this night.

Mrs. Helen McCreery, 1750 Carmel, appeared to say that, in her opinion, the annexation agreement was a worthless document, as prepared, and should be rewritten in a more specific manner. Again re-appearing, Mr. Hall drew attention to the fact that a certificate of occupancy must be approved and issued prior to occupancy. He said this was the City's assurance that all provision of the annexation agreement were complied with before the building was occupied for commercial use. In answer to a question by Mrs. McCreery pertaining to lighting, Gilchrist explained that, particularly adjacent to the residential area, there would be security lighting only. In answer to a question by Councilman Erickson, Gilchrist pointed out that the 1967 comprehensive plan recommended highway commercial zoning for the area in question. In absence of further comment, the final plat of the Westfield Plaza, Division No. 1 was submitted. It was moved by Councilman Erickson, seconded by Freeman, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, one; carried. Councilman Clark voting no.

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An annexation agreement between the City and the Westfield Plaza, Division No. 1 developer was then presented. It was moved by Councilman Erickson, seconded by Clark, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, one, carried. Councilman Clark voting no.

**ORDINANCE NO. 1562**

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS: DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (WESTFIELD PLAZA, DIV. #1)

The foregoing ordinance was presented in title. It was moved by Councilman Erickson, seconded by Clark, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 5; No, one; carried. Councilman Clark voting no. 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, one; carried. Councilman Clark voting no.

The Westfield Plaza, Division No. 1 having been annexed, the Mayor announced that this was the time and the place, as advertised, to consider its initial zoning. There were none who appeared to protest or otherwise comment on said zoning as recommended by the Planning Commission. Therefore, it was moved by Councilman Freeman, seconded by Clark, that this area be zoned C-1 and R-3A as recommended and as more fully described in the foregoing memo from the Building Administrator. Roll call as follows: Ayes, 6; No, none; carried.

It was then moved by Councilman Freeman, seconded by Clark, that the Building Official be directed in the foregoing memo from the Building Administrator. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time and the place to conduct a public hearing, recessed from August 24<sup>th</sup>, to consider the re-zoning of a portion of Hollipark Addition. Councilman Freeman reported that the owners had requested further recess of this hearing. It was moved by Councilman Freeman, seconded by Clark, that this re-zoning request on Hollipark Addition be again recessed until the next regular council meeting on September 21, 1978. 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 request for a variance for the placement of a mobile home as explained more fully by this memo from the Building Administrator:

City of Idaho Falls  
September 7, 1978

MEMORANDUM

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

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Attached is a copy of a request for a variance submitted by John Ziebarth for Charles A. and Annie L. Ziebarth. Mr. and Mrs. Ziebarth are quite elderly and require daily medication and care. Their children are requesting permission to place a new mobile home on the property (2015 St. Clair Ave.) , which would be occupied by a young couple who would care for the Ziebarths. This mobile home would be removed from the property within a reasonable period of time after Mr. and Mrs. vacated the property.

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

s/ Rod Gilchrist

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 request be approved for one year with the understanding that if the need for said mobile home still existed beyond that period, it would again be subject to review. Roll call as follows: Ayes, 6; No, none; carried.

Noting from the agenda that Mr. Jack Lugsch had requested the opportunity to appear before the Council to discuss the pornography problem within the City and also the illegal sale of beer to minors, the Mayor invited him to be heard at this time. Mr. Lugsch was not present in the Council Chamber. With respect to the pornography issue, the Mayor stated that the Police Department was receiving good cooperation from the merchants in this regard and, in his opinion, the selling of pornographic material was not presently a major problem.

The City Clerk noted that a legal notice had been published, in the interests of time, without formal Council approval, calling for a public hearing this night, to consider a variance for placement of a mobile home. It was moved by Councilman Freeman, seconded by Clark, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Another matter requiring ratification was explained by this memo from the General Services Director:

City of Idaho Falls  
September 7, 1978

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS - OIL CIRCUIT BREAKERS

The Electric and General Services Divisions respectfully request ratification of the General Service Director's previous action in advertising to receive bids for three (3) outdoor circuit breakers.

Thank you,  
s/ Chad Stanger

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Councilman Erickson noted that time was of the essence in advertising for this equipment, due to an extended delivery problem. It was moved by Councilman Erickson, seconded by Sakaguchi, that this action also be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of August, 1978, having been audited by the Fiscal Committee, were presented. The City Clerk read aloud all fund totals for services, materials and payroll, as follows:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
SERV/MAT:	\$ 524,091.36	\$ 41,219.68	\$ 7,725.72	\$ 246,269.79
SALARY:	<u>347,032.56</u>	<u>18,974.72</u>	<u>5,915.60</u>	<u>38,908.78</u>
TOTAL:	\$ 871,123.92	\$ 60,194.40	\$ 13,641.32	\$ 285,178.57
	<u>ELECTRIC</u>	<u>RECREATION</u>	<u>MUN CAP</u>	<u>GEN LIBRARY</u>
SERV/MAT:	\$ 310,309.88	\$ 17,775.79	\$ 1,802.64	\$ 3,104.68
SALARY:	<u>62,205.48</u>	<u>17,165.23</u>	<u>.00</u>	<u>14,305.77</u>
TOTAL:	\$ 372,515.36	\$ 34,961.02	\$ 1,802.64	\$ 17,410.45
	<u>REG LIBRARY</u>	<u>REVENUE SHAR</u>	<u>COM DEV</u>	<u>FLD CONTROL</u>
SERV/MAT:	\$ 344.55	\$ 5,339.56	\$ 22,307.01	\$ 4,667.74
SALARY:	<u>1,144.50</u>	<u>.00</u>	<u>702.40</u>	<u>.00</u>
TOTAL:	\$ 1,489.05	\$ 5,339.56	\$ 23,009.41	\$ 4,667.74
	<u>CITY TOTALS</u>			
SERV/MAT:	\$1,184,958.40			
SALARY:	<u>506,355.04</u>			
TOTAL:	\$1,691,313.44			

Councilman Hovey explained all major expenditures. It was moved by Councilman Hovey, seconded by Erickson, that the bills be allowed and the Controller be authorized to issue warrants or checks on the respective funds for their payment. Roll call as follows: Ayes, 6; No, none; carried.

Reports from Division and Department Heads were presented for the month of August, 1978, and, there being no questions nor objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT (transfer), from Jay's to Hot Diggity Dog; ELECTRICAL CONTRACTOR, Harold R. Johnson, Jr., Clair Packer, Brett L. Belnap; MASTER PLUMBER, Reid Martinsen for Reid Plumbing & Heating; JOURNEYMAN PLUMBER, Reid Martinsen; CLASS D JOURNEYMAN, WARM AIR, Neal Campbell; CLASS D APPRENTICE, WARM AIR, J. Steve Murphy; APPLICATION FOR BARTENDER PERMIT, Sharon McCafferty, Molli Ruddell, Elizabeth Anne Gibson, Ann Barney, Sharon Wallwork, Robert J. Thronson, Eloise Deschamps, Jack E. Chinn, Leola Boylan; CAB DRIVER, Paul Ochsner, 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, where required. Roll call as follows: Ayes, 6; No, none; carried.

From the General Services Director came this memo:

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City of Idaho Falls  
September 7, 1978

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: COAL BID

It is the recommendation of the General Services Division that the City Council jointly with School District #91, accept the bid of Doug Andrus & Son to furnish the coal supplies for the year 1978-1979. The price of \$39.90 per ton offered by Doug Andrus & Son is the low price per B.T.U. as adjusted by the formula provided in the bid documents.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Sakaguchi, that the bid of Doug Andrus and Sons be accepted by the City for coal for the coming winter season. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was submitted:

City of Idaho Falls  
September 6, 1978

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS FOR PROJECT NO. 7A-45 BRENTWOOD DRIVE BRIDGE

The plans and specifications for the Brentwood Drive Bridge over the East Lateral Canal have been completed for Forsgren and Perkins Associates. We are herewith requesting Council authorization for the City Clerk to advertise for bids for this project.

Advertising dates would be September 10, 17, and 24. Bid opening would be at 10:00 a.m. on Tuesday, September 26.

This bridge is scheduled to be completed to such extent that it will be usable by traffic by December of this year.

Respectfully submitted,  
s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Hovey, that the City Clerk be authorized to advertise for bids on the project as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Public Works Division was reviewed:

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City of Idaho Falls  
September 7, 1978

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: APPROVAL TO ADVERTISE FOR BIDS

The Public Works Division respectfully requests permission to advertise for bids for the construction of a Sewage Dump Station to be used by the U.S. Forest Service at the Idaho Falls Treatment Plant. We would like to advertise September 10, 17, and 24, 1978 and open bids on September 26, 1978.

The Engineer's Estimate for this project is \$21,500.00, the total cost of which will be reimbursed by the U.S. Forest Service as construction proceeds.

Respectfully submitted,  
s/ Donald F. Lloyd

With the understanding that the City will be reimbursed for this project from the U.S. Forest Service as construction proceeds, it was moved by Councilman Sakaguchi, seconded by Erickson, that authorization be given to advertise for bids as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Also from the Public Works Division, came this memo:

City of Idaho Falls  
September 6, 1978

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS FOR PROJECT NO. 9B-ESQUIRE ACRES TRUNK SEWER-PHASE 1

The plans and specification for this sanitary sewer project have been completed by Ellsworth Engineering. We are herewith requesting Council authorization for the City Clerk to advertise for bids for this project.

Advertising dates will be September 17 and 24, and October 1, 1978. Bid opening will be at 10:15 a.m. on October 3, 1978.

Respectfully submitted,  
s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Hovey, that authorization be given to advertise for bids on this project, as described. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Public Works Division, this memo was submitted:

**SEPTEMBER 7, 1978**

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City of Idaho Falls  
September 6, 1978

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Public Works Director  
SUBJECT: MODIFICATION NO. 1 TO THE ANNEXATION AGREEMENT FOR  
THE EG&G BUILDING AND PROPERTY

Modification No. 1 to the referenced Annexation Agreement recognizes the new time table for the completion of the Fremont Avenue Project and the fact that the street construction contemplated will be a complete street section with sidewalk, curb and gutter, full width paving, storm drainage, etc. instead of the 30-foot paved width, phased construction covered by the original Annexation Agreement.

The Developer's payment to the City for the street work (\$76,500.00) is not changed from the original Annexation Agreement.

The City is obligated to provide a temporary paved connection from Science Center Drive to the west parking lot of the new building if said building is completed and ready for occupancy before the Fremont Street project work is completed and access is available to the building's east parking lot.

Respectfully submitted,  
s/ Donald F. Lloyd

Councilman Hovey advised that he would elect to abstain from any action taken by the Council pertaining to this matter on the grounds that there would be a conflict of interest. It was moved by Councilman Sakaguchi, seconded by Erickson, that this Modification No. 1 to the Annexation Agreement as indicated by accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried. Councilman Hovey abstaining.

This petition with forty signatures was presented and read by the City Clerk:

We, the undersigned, hereby state that we are residents of the City of Idaho Falls, County of Bonneville, State of Idaho, and over the age of 18. That this petition has been made to prevent the students of Idaho Falls High School from parking on the residential streets surrounding the High School for the following reasons: It creates a nuisance for the owners of the property insofar as parking space for their own vehicles, litter and debris is thrown on lawns, etc.

We hereby petition that the students of Idaho Falls High School, and employees thereof, be restrained from parking on the residential streets surrounding the High School.

It was moved by Councilman Clark, seconded by Freeman, that this parking problem be referred to the Police Committee for review. Roll call as follows: Ayes, 6; No, none; carried.

The following petition with 13 signers, requesting annexation into the City was read aloud:

**SEPTEMBER 7, 1978**

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**PETITION FOR ANNEXATION**

We, the undersigned, residents of Prestwich Country Estates Subdivision do hereby submit a provisional request for annexation of the Prestwich Country Estates Subdivision into the City of Idaho Falls.

This petition is based on the desire to gain the added protection of the City of Idaho Falls Police and Fire Departments, to be provided electric power by the Idaho Falls Electric Division, and to gain access to the other expanded benefits and services provided to City residents.

Prestwich Country Estates is currently connected to the City of Idaho Falls water and sewage systems.

Approval of this petition for annexation is requested with the provision that annexation will include acceptance into the Idaho Falls Electric Division electric power system prior to 1 January 1979, of any of the homeowners listed below who request release from Utah Power and Light Company electric power contracts.

It was moved by Councilman Wood, seconded by Hovey, that this be referred to the Building and Zoning, Public Works and Electrical Committees for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney presented and read the following resolution:

**RESOLUTION (Resolution No. 1978-15)**

A RESOLUTION AFFIRMING THE CITY OF IDAHO FALLS' COMPLIANCE WITH TITLE VIII OF THE CIVIL RIGHTS ACT OF 1968 AS AMENDED, AND EXECUTIVE ORDER 11063 PROVIDING FOR FAIR HOUSING.

WHEREAS, Federal law and regulations have been passed and are in effect to provide fair, non-discriminatory housing throughout the United States; and,

WHEREAS, the City of Idaho Falls concurs with the stated federal policies of promoting maximum choice within the community's housing supply, lessening racial, ethnic and economic concentration, and facilitating desegregation and racially inclusive patterns of occupancy and use of public facilities; and,

WHEREAS, the Department of Housing and Urban Development and the Community Development Grant Program requires the City's assurance of compliance with said laws and regulations,

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

**SEPTEMBER 7, 1978**

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That the City of Idaho Falls desires to comply with Title VIII of the Civil Rights Act of 1968 as amended (commonly referred to as the "Fair Housing Law") and Execution Order 11063, and agrees to administer all programs of the City related to housing and urban development in a manner affirmatively to further fair housing.

PASSED by the City Council of the City of Idaho Falls, Idaho this 7<sup>th</sup> day of September, 1978.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ Thomas Campbell  
Mayor

It was moved by Councilman Erickson, seconded by Freeman, that to conform with Federal laws, this resolution be adopted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney then presented this resolution:

**RESOLUTION (Resolution No. 1978-16)**

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL:

Pursuant to the provisions of Section 50-476, Idaho Code, the City of Idaho Falls, Idaho, hereby elects to conform its practices for registration of qualified electors to those contained in Title 34, Idaho Code; and the City shall hereafter conform its practices in such a way that registration for general elections, as that term is defined in Title 34, Idaho Code, shall be sufficient registration for elections of the City of Idaho Falls, Idaho, and vice versa.

A certified copy of this Resolution shall be delivered by the City Clerk to ex officio Clerk of the board of County Commissioners of Bonneville County.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE Mayor this 7<sup>th</sup> day of September, 1978.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ Thomas Campbell  
Mayor

It was moved by Councilman Hovey, seconded by Erickson, that this resolution on election procedures be adopted and the Mayor and City Clerk be authorized to sign, after which the City Clerk be directed to furnish a copy to the ex-officio County Clerk of elections for his records. Roll call as follows: Ayes, 6; No, none; carried.

**ORDINANCE NO. 1563**

AN ORDINANCE REPEALING AND RE-ENACTING  
CHAPTER 14, TITLE 1, CITY CODE OF IDAHO  
FALLS, IDAHO, SAID ORDINANCE GOVERNING THE

**SEPTEMBER 7, 1978**

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CONDUCT OF ELECTIONS; PROVIDING THAT THE PROVISIONS OF CHAPTER 4, TITLE 50, IDAHO CODE, SHALL GOVERN THE NOMINATION OF CANDIDATES FOR ELECTIVE OFFICE, THE QUALIFICATIONS AND REGISTRATION OF ELECTORS AND THE CONDUCT OF ALL ELECTIONS OF THE CITY OF IDAHO FALLS, IDAHO; ESTABLISHING ELECTION PRECINCTS FOR SAID CITY AND SETTING FORTH THE BOUNDARIES THEREOF; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE

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

Reference is made to Page 277 in this book of minutes and, more specifically, a voluminous sign ordinance which was, at that time, introduced and passed on its first reading. Councilman Freeman now reintroduced said ordinance, as follows, stating that, in the interim period, no protests, objections nor comments had been received, relative to any of its provisions:

**ORDINANCE NO. 1564**

AN ORDINANCE ADOPTING A SIGN CODE FOR THE CITY OF IDAHO FALLS, IDAHO; MAKING IT UNLAWFUL FOR ANY PERSON TO ERECT ANY SIGN OR TO ENGAGE IN THE BUSINESS OF ERECTING SIGNS WITHIN THE CITY WITHOUT FIRST OBTAINING A LICENSE FROM THE CITY THEREFOR, AND SETTING FORTH EXCEPTIONS TO SUCH LICENSING REQUIREMENT; SETTING FORTH THE REQUIREMENTS AND PROCEDURES FOR OBTAINING LICENSES AND FIXING FEES THEREFOR; PROVIDING FOR CANCELLATION OF SUCH LICENSES; DEFINING TERMS USED IN THE ORDINANCE REQUIRING PERMITS FOR INSTALLATION AND REMODELING OF SIGNS AND SETTING FORTH EXCEPTIONS TO SUCH PERMIT REQUIREMENT AND FIXING FEES FOR PERMITS; ESTABLISHING STANDARDS AND REGULATIONS FOR THE CONSTRUCTION, INSTALLATION, ERECTION, MAINTENANCE, ELECTRIFICATION, ILLUMINATION, SIZE, TYPE AND LOCATION OF SIGNS; ESTABLISHING PENALTIES FOR VIOLATION OF THE ORDINANCE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE

**SEPTEMBER 7, 1978**

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It was moved by Councilman Freeman, seconded by Clark, that this ordinance be approved and passed on its second and third readings. Roll call as follows: Ayes, 5; No, none; carried. Councilman Hovey voting no.

Mayor Campbell presented and read aloud this letter:

Department of Housing  
and Urban Development  
September 5, 1978

Honorable Tom Campbell  
Mayor of Idaho Falls  
P.O. Box 220  
Idaho Falls, Idaho

Dear Mayor Campbell:

Subject: Community Development Block Grant Program Contract No. 5-78-MN-16-0001

We have reviewed your letter dated August 30, 1978, and supporting documentation.

Accordingly, we are releasing Idaho Falls from the contract conditions.

The date of this letter is your authorization to incur cost for the approved program activities.

We want to compliment the City for the manner in which you handled the FH&EC contract conditions and the quality of the documentation submitted.

If you have any questions, please contact Cal Ross, CPD Representative, at (503) 221-2601.

Sincerely,  
s/ E. Daryl Mabee

The Mayor commended Rolfe Lines, Grant Administrator, for the fine manner in which he had handled this request for release and all other matters pertaining thereto.

The Mayor then proceeded to commend the Police and Fire Departments, on behalf of the United States Secret Service, for their cooperative efforts in providing protective service to President Carter and his party during their brief appearance at the Municipal Airport. The Mayor continued by saying it was noted by said Secret Service that the efficiency displayed was one of the most proficient they had ever experience, including the threat fabrication by a motel employee. The Mayor noted that he had forwarded letters of appreciation to both of these Departments for their service during this event.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 10:10 P.M., carried.

ATTEST: s/ Velma Chandler  
Deputy City Clerk

s/ Thomas Campbell  
Mayor

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