

APRIL 20, 1978

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, April 20th, 1978, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor Tom Campbell, Councilmen Mel Erickson, Ralph Wood, Paul Hovey, Sam Sakaguchi, and Jim Freeman. Absent: Councilman Charles Clark. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney and all other available Division Directors. Minutes of the last Regular Meeting, held April 6th and a Special Meeting held April 17th, 1978, were read and approved.

The Mayor invited Fire Chief Call to escort the following firemen to the Council table: Messrs. Gary Day, Richard Hahn, Gary Rose, Roland Thompson. The Mayor announced that these men were about to be recognized and honored for having successfully completed a Department of Transportation paramedic course. After a few words of commendation for services rendered by paramedics the Mayor presented each of these men with a certificate of completion after which they received a congratulatory handshake from all City Officials around the Council table.

The Mayor then invited Donna Mae Galbraith as a paramedic coordinator and Doctor Farrell L. Hansen as a paramedic physician director and counselor to approach the Council table and presented them, individually, with a plaque with the following inscription: "In appreciation for years of dedicated service to the paramedic program". The Mayor commended Ms. Galbraith and Dr. Hansen for said service as indicated, after which they, also, received a congratulatory handshake from all City Officials around the Council table. Asked for comment, Fire Chief Call appeared briefly to report that the Department now has eight active paramedics and two in reserve. He said this Division of the Fire Department has an extremely impressive record as they assume their duties and respond to about 2500 runs a year. He said the program would not be possible except for the united civic effort of Doctors, Nurses, and Hospitals throughout the area who take of their own time to provide free training. Call commended these affected Doctors, Nurses, and Hospitals for their invaluable service and assistance in this regard.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider certain amendments to the City budget for the balance of the fiscal period 1977-78. Attention is drawn to Page 176 in this book of minutes, revealing proposed revenues and expenditures for the amended budget. Councilman Hovey, as Chairman of the Fiscal Committee, explained that the amendatory budget was deemed necessary to incorporate, as revenue, accumulated funds collected under the terms of the Street and Bridge Policy, created since passage of the original budget in October of 1977. Also, continued Hovey, the amended budget reflected the creation of the Sanitary Sewer Capital Improvement Fund. There were none who appeared to protest or otherwise comment on the amended budget as proposed. It was moved by Councilman Hovey, seconded by Erickson, that this amended budget for the balance of the fiscal year 1977/78 be approved and adopted. Roll call as follows: Ayes, 5; No, none; carried.

ORDINANCE NO. 1543

AN ORDINANCE AMENDING THE ORIGINAL APPROPRIATION ORDINANCE OF THE CITY OF IDAHO FALLS, IDAHO AND AS AMENDED PROVIDING FOR THE ANNUAL APPROPRIATIONS OF THE CITY OF IDAHO FALLS, IN THE STATE OF IDAHO, AND FOR THE APPROPRIATION OF SEVERAL FUNDS AND PURPOSES DURING THE FISCAL PERIOD (OCTOBER 1, 1977 THRU SEPTEMBER 30, 1978), AND PROVIDING THE

AMOUNT OF PROPERTY TAX APPROPRIATED FOR
EACH OF SAID FUNDS.

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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, 5; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider a variance request by the Valley Bank as explained by this introductory memo from Building Administrator Gilchrist:

City of Idaho Falls
April 20, 1978

MEMORANDUM

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

Attached is a copy of a request for a variance for the temporary placement of a mobile home to be used as a bank. This request is being submitted by Valley Bank, and they are proposing to place the trailer on the southerly portion of the lot at the corner of Capital Avenue and Broadway. Valley Bank will operate out of this facility while the new building is under construction on the northerly portion of this property. Construction is expected to commence July 1st, and it will be completed in approximately 12 to 15 months.

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

Rod Gilchrist

Councilman Hovey asked if a traffic study had been made to determine the problems that might be created by the mobile home temporary bank facility. Gilchrist answered by saying this problem has been anticipated and, thus, the decision to locate the mobile home on the southerly portion of the lot. There were none who appeared to protest or otherwise comment on this request. It was moved by Councilman Freeman, seconded by Erickson, that this variance for a mobile home at the location as indicated be approved for a twelve month period with an option of renewal. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to consider a request by the L.D.S. Seminary for a temporary location of a mobile home in favor of the O.E. Bell Junior High School as more fully explained by this introductory memo from the Building Administrator:

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City of Idaho Falls
April 20, 1978

MEMORANDUM

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

Attached is a copy of a request for a variance for the temporary placement of a mobile home to be used as an L.D.S. Seminary in conjunction with O.E. Bell Junior High School. This request is being submitted by Grant Stoddard, and the proposal is to place the mobile home behind the Jiffy Mart on Elm Street. The petitioner is requesting electrical service, but no sewer and water service is desired. The proposal is to operate the Seminary in this facility until such time as O.E. Bell Junior High School is closed as a school.

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

s/ Rod Gilchrist

Councilman Freeman acknowledged that the City has in the past, cooperated with the School district on requests of this nature and this instance posed a problem, only because it was not known at this time when the O.E. Bell Junior High School would be closed. There were none who appeared to protest or otherwise comment on this variance request. It was moved by Councilman Freeman, seconded by Erickson, that this variance be granted through the next school year or June, 1979. Roll call as follows: Ayes, 5; No, none; carried.

Anticipating that there were those present in the Council Chamber having an interest in the following petition with 58 signers, the Mayor asked that it be presented and read aloud at this time:

March 20, 1978

We the undersigned are NOT in favor of the present plans the City of Idaho Falls has adopted for expanding its electrical power system into the County. In particular we are concerned about the proposed route, the 161 KV power level, health and safety considerations and aesthetics. We believe that there are many other workable alternatives for developing a growing city's electrical power system, and we don't believe that these have been adequately considered by the City Planners. Therefore, we are requesting that the City hold an open hearing with all parties affected by this project. These parties should be contracted directly by the City a week or more before the meeting time. Such a hearing is long overdue and should have been initiated by the City at least a year ago.

Following presentation of the foregoing petition, the City Clerk presented and read aloud this letter of protest:

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City Clerk
April 20, 1978

Honorable Mayor and Members of the City Council:

My name is Brad Jahn and I farm and live in the New Sweden area west of town. I also represent many of the landowners whose property would be crossed if the powerline is allowed to proceed. I am writing this letter to request that the City Council and Mayor grant a public hearing concerning the proposed power loop for the City of Idaho Falls. On Friday, April 14, Mayor Campbell was presented with petitions bearing the names of approximately fifty farmers and landowners. These people are respectfully petitioning for a public hearing.

As a group, we feel there are many significant problems with a line of this size and with the transmission loop's location. For example, there are many hazards we feel have not been properly investigated or made public. We understand from Mr. Harrison that the conductor planned for the line is relatively small. From our research we have learned that this type of line is particularly dangerous. Jerry Jensen, a landowner who lives adjacent to the proposed substation site, would have these 161 KV lines running directly over his house since the proposed right of way includes his well, outbuildings, and twenty feet of his garage.

A further problem is the location of the poles in the middle of fifty foot right of way across our prime farmland. It would disrupt our use of wheel lines to irrigate our crops. When summer weather comes the warmer air will cause the conductor to sag within forty feet of the ground. A pipe mover could easily reach the line and bring a forty foot aluminum sprinkler pipe in contact with 161,000 volts. The potential hazard is increased when water and electricity are mixed.

Those of us affected by the line are wondering why the power line is not located within the City limits. County people will receive no benefit from the line and will suffer the adverse effects of this line. We are enraged that we should have such a project thrust upon us. We are proud of our homes and farms. Many farms in my area have been in the same family for four generations, including my own family's farm. The proposed line would damage the aesthetic and real value of our property. Would any crops grow under the radiation created by corona discharge? We simply don't know for sure.

There is also the likelihood of damage to land adjacent to the right of way during construction and maintenance. Another problem not fully investigated is the possible interference of radio and television reception. Mr. Harrison has suggested that we will know more about this problem after the line is completed. Hardly a comforting reply. We wonder to what extent will be the severity of all other problems to be known only after the line is built.

No public meetings have been held to debate the transmission lines with all landowners and interested parties invited to be present. The August 1977

meeting held by the Bonneville County Commissioners concerned only the zoning variance granted by the Board of Adjustments to construct a substation.

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Former Mayor Pedersen met with a group of people living near the substation so they could respond to the substation proposal, but the proposed powerline had not been aired in a public meeting. The time is long overdue for a hearing on the transmission loop where all parties, both those of us with right of way consideration and interested persons can have their questions answered and express their opinions.

Another matter I feel needs discussion is the basic approach the City Electrical Department had taken in contacting the effected landowners. When I become aware of the project in the summer of 1977, the City Electrical Division had already purchased the towers and a portion of the other equipment required. No right of ways had been negotiated on the west side and none have been acquired. I believe the City could resell the equipment at a profit and that its ownership should not be used as a reason for going ahead with the project without proper study. Opposition to the line is strong but burying the line would reduce it to a minimum. This is often done in areas where no other methods are feasible. Burying the line would no doubt prove more expensive than the existing plan, but it would certainly be more acceptable. Yet no attention whatsoever was given to this alternative in the 1973 study. That study devoted little more than one page to all alternatives to the proposed line. Such superficial treatment gives the impression that the search for other ways of increasing the City's electrical system capacity was not taken very seriously.

The City Council should also realize that the loop amounts to an in house project. It is rare when a City owns an electrical utility. The proposal of the project and the approval for the project have come essentially from the same source. The project should be examined as closely as if Utah Power & Light or Idaho Power were involved.

Information coming from the City Electrical Division has been inconsistent and misleading. Owners have been contracted separately and misunderstandings have arisen due to the lack of a single comprehensive public meeting where the Electrical Division could present the project in its entirety and answer questions. The people who signed the petitions and others who are concerned about this line respectfully request a public hearing to clear the air of confusion and to foster an attitude of understanding.

Respectfully yours,
s/ Brad Jahn
Rt. #4, Box 109

Mr. Reed Hansen, Roberts Highway, appeared before the Council, noting that he was a farmer in the Osgood area but that he was serving as spokesman for several farmers more directly affected by the 161 KV loop, in the New Sweden area. Mr. Hansen concurred with the written sentiments of Mr. Jahn and added that this 161 KV loop had not received sufficient or proper public exposure, in his opinion, and that all affected property owners were asking that this be accomplished by means of a public informational hearing so that both the property owner and the City could become better appraised of the other one's problems. Pointing out that he, at one time, was Chairman of the County Planning

Commission, Hansen noted that that group considered one of their paramount objectives the preservation of farm land. Hansen continued by saying that, accordingly to his information,

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the line would exceed the projected growth study made by the County to the year 2000; also, that its location is projected beyond the area of City impact. Hansen said the people he represented wanted to cooperate but it would appear their economic well being and welfare was at stake. Hansen concluded his remarks by again urging the City Council to arrange a public hearing on this issue so that all problems could be aired. It was moved by Councilman Wood, seconded by Hovey, that this matter be referred to the Electrical Committee for study and consideration. Roll call as follows: Ayes, 5; No, none; carried. Councilman Sakaguchi volunteered to sit in on the meetings held by the Electrical Council Committee in this regard.

Another petition with 28 signers, was then presented and read aloud, as follows:

April 14, 1978

MEMORANDUM

TO: The Mayor and Council
City of Idaho Falls
P.O. Box 220
Idaho Falls, Idaho 83401

SUBJECT: PETITION BY RESIDENTS OF THE HIGHLAND PARK AREA
RELATIVE TO UTILIZATION OF UNUSED LAND ON THE NORTH
SIDE OF HIGHLAND PARK

The undersigned respectfully offer for your consideration the following Resolution:

WHEREAS, the City Government has indicated an intent to abandon the presently used area in Highland Park for the collection of street sweepings and to use as a substitute an area at the northeast corner outside the fence on Iona Street; and

WHEREAS, this strip of land immediately outside the ball park fence has often been littered-overgrown with weeds and used by noise polluting dirt bikes; and

WHEREAS, both present none-use and intended use of this land will neither enhance property values nor esthetics;

NOW THEREFORE BE IT RESOLVED, that the dumping area be contained by either a building or adequate retention walls-gate-screening and shielded from view by fencing; and that the strip not in this project be incorporated into Highland Ball Park by moving the high fence to within sidewalk width of the curb on Iona Street.

s/ S. Jack Hall
1050 Bannock Avenue

Asked for comment, Public Works Director Lloyd appeared to briefly explain the need for a centralized location to drop street sweepings. He said the street sweepers are equipped with a container one to three yards in size and the unit is not designed for street travel.

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Therefore, it would not be economically feasible to run the sweeper out to the landfill for dumping. Instead, continued Lloyd, these centralized dropping locations are spotted throughout the City and, once a week, the droppings are picked up by means of a front-end loader and a dump truck. He said this operation is 75% more efficient than running the sweepers out to the landfill. Lloyd then pointed out that his division was aware of certain citizens protests to the dropping area within the Highland Park and, as a result, he and the Parks and Recreation Director had arrived at a tentative solution; namely, to move the street sweeper dropping location to an area behind and adjacent to the ball park score board. He said this would be fenced to the alley and would therefore, not be in evidence to near-by residents. In answer to a question by Mr. John Dampf, 380 Iona, Lloyd said the fence would be comparable in height to the ball park fence and would be painted. Mr. Dampf said there is a dirt strip between the ball park fence and the alley used by motorcycles. He said he would like to see this area seeded and blocked off to prevent this activity. With reference to the foregoing petition, it was moved by Councilman Sakaguchi, seconded by Hovey, that this be referred to the Public Works Committee for study and correction. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Dampf then re-appeared briefly, drawing attention to an intersection at Bannock and Iona. Mr. Dampf said there had been several near accidents at this intersection and proposed a four-way, rather than a two-way stop. It was moved by Councilman Freeman, seconded by Erickson, that this proposal be referred to the Traffic Safety Committee for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

Finally, this petition with 110 signers, was presented and read aloud by the City Clerk:

April, 1978

Mayor Thomas Campbell
Idaho Falls

Dear Sir:

We, the undersigned, are submitting this letter to express our grave concern over the present City laws concerning the separation for commercial and residential property with a common boundary or within close proximity of each other. As we have best been able to discern from discussions with the City zoning and Planning Department, there is currently no City requirement for commercial property to be properly screened from private homes which abut or are within close proximity. As a result, it is possible for a homeowner to view from his home or his yard the rear or side of a commercial business.

The research of this problem was prompted by the current zoning and planning for three (3) commercial lots on the south side of 17th Street near the Jenny Lee Addition of residential homes. When the lots were annexed by the City, the City Planning Board recommended that the owners of the commercial lots be required to install screening between the commercial and residential property. However, when the City Council approved the annexation, the requirement for screening was not entered in the Council minutes so apparently screening is not required. In addition, the City established a 20 foot wide public alley

between the residential and commercial property which egresses on to Tiffany Drive, a residential street. Present City law also does not preclude use of the

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alley by the Commercial owner as an ingress/egress route from his business. This means that commercial traffic could be using the residential streets of Tiffany Drive, Santalema, and Ponderosa as a means of returning to 17th Street.

The present owners of three (3) commercial lots are: Idaho Falls Tire and Battery; Taco Bell Fast Food; and Wrangler Fast Food. A group of homeowners have met with representatives of Idaho Falls Tire and Battery and discussed our concerns. The representatives were very helpful and interested in minimizing the impact on the residential area. They do not feel that the alley is necessary and agree that permanent screening is a reasonable solution.

To minimize the impact of the close proximity of the commercial and residential property the following recommendation is submitted:

“Solid permanent screening of masonry construction of suitable height (6-8 feet) be required between the commercial and residential properties involved on 17th Street and Tiffany Drive.”

This recommendation will prevent use of the alley as a major ingress/egress route from the commercial property and will eliminate the private homeowner from having to look at the garbage and debris associated with the commercial business. This recommendation should also be considered for all commercial and residential property interfaces.

Idaho Falls Tire and Battery has just begun construction while Taco Bell and Wrangler have not yet broken ground. Therefore, prompt action is required to minimize the impact on all concerned.

It is not fair to the private homeowners who have a substantial investment (probably their life savings in their homes) to be required to view the back of the commercial business indicated or to have the entire neighborhood be burdened with the commercial traffic and associated noise and increased possibility of accidents involving children. As a representative of the people, your action and concern is required to prevent the problem indicated.

Mr. Jim Gilman, 1805 Tiffany Drive, appeared briefly to say that although the near-by residents were particularly concerned about some sort of appropriate and adequate screening so that the commercial garbage and debris from the three businesses as mentioned would be hidden from sight, they were just as concerned about ingress and egress for service vehicles serving said businesses. Gilman said the Idaho Falls Tire and Battery officials had been contacted and were very cooperative, saying they felt they wouldn't be using the alley as mentioned in the petition which intersects Tiffany Street. Gilman said it would appear that the other two businesses intend to use the alley. Councilman Freeman commented to the effect that it has only been recent years that the City has had the cooperation of the County on problems of this nature. As an example, continue Freeman, commercial development immediately adjacent to 17th Street was never considered good planning by the City but the precedent was set by the County before the area was annexed. Freeman said there was no provision in the zoning code that would permit the City to force fencing as a screening requirement. However, concluded Freeman, the City might be of some assistance from a

safety standpoint, particularly on the alley issue. Councilman Erickson concurred and added that, in his opinion, an alley that egresses into an R-1 zone should not be used to

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serve commercial business. In answer to a question by Mr. Edward Dakalios, 1802 Tiffany, the City Attorney explained that normally, when an alley is vacated, it is done so in favor of the adjacent property owners on a 50-50 basis. Councilman Sakaguchi, as Chairman of the Public Works Council Committee, said he was about to make a motion to refer this matter but he wanted it understood in advance, that this action was not for the purpose of shelving or permanently tabling the problem. Instead, continued Sakaguchi, this issue could become complex and needs complete investigation inasmuch as there are several facets involved, including those having to do with public works, zoning and legalistics. With that explanation, then, it was moved by Councilman Sakaguchi, seconded by Hovey, that this matter be referred to the Public Works Committee for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Jim Gilman re-appeared briefly to ask about building permits. Asked for comment, Building Administrator Gilchrist said that to date, he had seen nothing more on Taco Fast Foods and Wrangler Fast Foods than preliminary building plans. It was moved by Councilman Freeman, seconded by Erickson, that with reference to these two business operations, no building permits be issued for a limited length of time or until a decision is made pertaining to the vacating or partial vacating of the alley in question. Roll call as follows: Ayes, 5; No, none; carried.

Linda Milam, President of the League of Women Voters appeared before the Council and presented the following written statement:

League of Women Voters
of Idaho Falls, Idaho

April 20, 1978

Statement for Idaho Falls City Council, by Linda Milam, President, League of Women voters of Idaho Falls, regarding joint City-County voter registration.

The League of Women Voters of Idaho Falls has a strong position advocating City-County cooperation. Much has already been accomplished by the City of Idaho Falls and Bonneville County – the joint law enforcement facility, joint computer operations, and the joint telephone system. Tonight, we speak to another area of possible cooperation.

In the spring of 1976, the League of Women Voters of Idaho Falls appeared before this Council to ask for a speedy resolution to the problem of enacting joint voter registration between Idaho Falls and Bonneville County. At that time, Mr. Roy Barnes, City Clerk, and Mr. Del Bodily, County Clerk, felt the procedure could be completed by November, 1976.

According to the enabling legislation, the Cities are required to take the initiative in accenting the counties' registration procedures. Bonneville County is prepared to go ahead with the process – the computer is set and the precincts have been redrawn to comply, as closely as possible, with City precincts.

We hope you will act as expeditiously as possible. The League has already begun planning for the elections coming up in August and November. We think the City should act with all due haste to alleviate the confusion which always

occurs for residents of Idaho Falls who must deal with the inefficient system of separate registration.

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Asked for comment, City Attorney Smith concurred that, in 1976, enabling legislation was passed whereby by adoption of a resolution, the City could accept the County's registration procedures with the primary accomplishments that the voter would then register only once during a four year period and would then be qualified to vote at City or County-State elections. However, continued Smith, since that time it was commonly agreed by the City Attorney, the City Clerk and the full Council that, because of a gray area having to do with ambiguity as to what approved list of qualified electors the City would turn to the County, the City Council agreed to take no action until two special bond elections had been conducted. Smith explained this, further, by saying that procedures of a bond election must comply, not only with State Statute, but also with guidelines as dictated by the bond attorney.

Ms. Milam said her group was aware of this, but recognizing the fact that the second special bond election will soon be conducted, it was felt the matter could well be re-introduced at this time so that the responsible City officials could again start thinking toward this end. It was moved by Councilman Erickson, seconded by Freeman, that this matter be referred to the Fiscal Committee and the City Attorney for further consideration. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk reported 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 request from the Valley Bank for temporary placement of a mobile home. It was moved by Councilman Freeman, seconded by Erickson, that this action be duly ratified. Roll call as follows: Ayes 5; No, none; carried.

Another matter requiring ratification, according to the City Clerk, was his action in having had published a legal notice calling for a public hearing this night to consider a variance request from the L.D.S. Seminary for temporary placement of a mobile home. It was moved by Councilman Freeman, seconded by Erickson, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

License applications for RESTAURANT, J.B.'s Big Boy, Amigo's Restaurant; ELECTRICAL CONTRACTOR, James P. Crook for James Crook Electric; JOURNEYMAN ELECTRICIAN, James P. Crook, Ronald Gibson; APPRENTICE ELECTRICIAN, Jeff Eaton, Terry D. Gardner; MASTER PLUMBER, Jack Hill, Darwin Mathews, Howard G. Hill; JOURNEYMAN PLUMBER, Warren D. Hill, Jack Hill, Gene L. Mathews, Darwin Mathews, Howard G. Hill; APPRENTICE PLUMBER, Brent Howard, Ralph Galbraith; CLASS A JOURNEYMAN, GF, WA, WH, REF, Jack Hill; CLASS A CONTRACTOR, WA, WH, GF, REF, Jack Hill; PAWN BROKER, Buddy's Surplus Sales, LaVar Lloyd; SECOND HAND STORE, Buddy's Surplus Sales, LaVar Lloyd; SUNDAY MOTION PICTURE THEATRE, Rio, Centre; TAXI OPERATOR, David D. Wood, Michael D. Beesley; BARTENDERS, Wayne Miller, Paul Hart, Pat Rainey, Shauna L. Hughes; BEER, canned and bottled not to be consumed on the premises, Fearless Farris Service Station, were presented. It was moved by Councilman Erickson, seconded by Freeman, that these licenses be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk requested authorization to publish legal notices calling for public hearings May 11th, 1978 to consider the initial zoning on four annexations with the understanding that said hearings be conducted only if, in fact, said areas were annexed. It was moved by Councilman Freeman, seconded by Erickson, that authorization be granted to publish the legal notices as requested. Roll call as follows: Ayes, 5; No, none; carried.

From the General Services Director, came this memo:

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City of Idaho Falls
April 20, 1978

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BERT HANSEN FARM LEASE

Attached are copies of a farm lease between the City of Idaho Falls and Mr. Bert Hansen for the farm property located immediately adjacent to and west of Fielding Memorial Cemetery. Mr. Hansen has signed the lease and the General Services Director respectfully requests authorization for the Mayor and City Clerk to sign the lease.

Thank you,
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Freeman, that this farm lease 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 Public Works Director was submitted:

City of Idaho Falls
April 1, 1978

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SEAL COATING OF STREETS

On April 18th two bids were received for Seal Coating of streets as follows:

H-K Contractors, Inc.	\$ 93,942.00
Robert V. Burggraf	100,941.60
Engineer's Estimate	92,100.00

Since these bids were based upon unit prices we are recommending that a contract be awarded to the low bidder, H-K Contractors, Inc., and that the quantities of work be reduced to fall within the budgeted amount.

s/ Don

It was moved by Councilman Sakaguchi, seconded by Hovey, that the low bid of H-K Contractors, Inc. be accepted for the seal coating of certain City streets with the understanding that the quantities of work be reduced to coincide with the budgeted amount for this project. Roll call as follows: Ayes, 5; No, none; carried.

From the Police Chief came this memo:

APRIL 20, 1978

City of Idaho Falls
April 18, 1978

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Pollock
SUBJECT: SUGGESTED TRANSFER OF FUNDS IN 1978 BUDGET

To hire an additional person to work animal control it is estimated that it will require approximately four thousand two hundred (\$4,200) dollars be transferred from the Police to Animal Control budget, for the remainder of this budget year.

Should this be your desire to so authorize the Controller, I feel the Police could get by due to having been unable to fill vacancies within a short time.

Robert Pollock

It was moved by Councilman Freeman, seconded by Erickson, that the transfer of funds, as indicated, be approved for the reason as stated. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Building Administrator was then reviewed:

City of Idaho Falls
April 20, 1978

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: SOUTH HILLCREST ADDITION 1ST AMENDED PLAT

Attached is a copy of the final plat of the South Hillcrest Addition, First Amended Plat. This property is located on the north side of East Elva, between North Lee and the railroad tracks. No annexation ordinance or agreement is required and no rezoning as the property is presently zoned R-1 and will be developed as R-1.

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

s/ Rod Gilchrist

It was moved by Councilman Freeman, seconded by Erickson, that this 1st amended plat 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 Building Administrator was submitted, as follows:

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City of Idaho Falls
April 20, 1978

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: AMENDMENT TO UNIFORM BUILDING CODE

Attached is a copy of a proposed ordinance which would amend the Uniform Building Code by requiring that at least one window be installed in the basement of all residential structures and establishing the minimum size and height of the window.

We feel that this is necessary in that many homeowners, at some point in time, finish their basement and in many instances build an additional bedroom located in the basement. This window is needed as a means of emergency exist from the area.

s/ Rod Gilchrist

The foregoing memo served to introduce the following ordinance:

ORDINANCE NO. 1544

AN ORDINANCE AMENDING ORDINANCE NO. 1509, THE UNIFORM BUILDING CODE, VOLUME 1, 1976 EDITION AS AMENDED, BY ADDING SECTION 4-11-3 TO THE CITY CODE, PERTAINING TO OPENINGS IN BASEMENT WALLS OF RESIDENTIAL STRUCTURES, AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

From the Director of Aviation this memo was presented:

City of Idaho Falls
April 19, 1978

MEMORANDUM

TO: Mayor and City Council

XX

FROM: Airport Committee
SUBJECT: WESTERN AIRLINES – HUGHES WEST – AMENDMENT TO LEASE

APRIL 20, 1978

In accordance with previous agreement with the subject air carriers, retroactive local airport use fee increases have been negotiated.

For the period commencing January 1978, the retrospective airport use fees are increased \$.04 per 1,000 pounds landing weight of \$.30 for each aircraft landing. Terminal building space, rental fees and remainder of the agreements stay the same.

The Airport Committee recommends approval of such amendment and asked that the City Council approve such.

Further, that the Mayor and City Clerk be instructed to execute these amendments on behalf of the City.

s/ H.P. Hill

Councilman Wood noted that these changes in airport use fees would result in a 15% increase over existing rates. It was moved by Councilman Wood, seconded by Hovey, that these amendments, in both instances be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor took this opportunity to announce to all Councilmen and all others present that, due to the special airport revenue bond election, Council meetings during the month of May would be conducted May 11th and May 25th. The Mayor explained, further that, by law, the Council must conduct an official canvass of all votes cast at said election within five days of the election and May 11th would be an appropriate time for said canvass. This met with general Council approval.

Councilman Erickson proposed that renovation of the Mayor's chamber and adjacent area in the City Hall proceed immediately or as quickly as possible. It was moved by Councilman Erickson, seconded by Sakaguchi, that the General Services Director be directed accordingly. Roll call as follows: Ayes, 5; No, none; carried.

It was moved by Councilman Hovey, seconded by Wood, that the Mayor and all Councilmen retire into Executive Session to discuss and consider labor negotiations as pertained to all union electrical employees. Roll call as follows: Ayes, 5; No, none; carried,

After the Executive Session had been convened for the reason as heretofore indicated, the roll was called and the following were found to be present: Mayor Tom Campbell; Councilmen Hovey, Sakaguchi, Freeman, Erickson, and Wood. Absent, Councilman Clark. Also present, Roy C. Barnes, City Clerk, Arthur Smith, City Attorney, Steve Harrison, Electrical Engineer. After considerable discussion it was moved by Councilman Hovey, seconded by Wood, that the meeting adjourn at 9:40 P.M., carried.

ATTEST: Roy C. Barnes
City Clerk

s/ Thomas Campbell
Mayor

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