

FEBRUARY 24, 1977

The City Council of the City of Idaho Falls met in regular meeting, Thursday, February 24, 1977, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting, Mayor S. Eddie Pedersen, Councilmen Gil Karst, Paul Hovey, Tom Campbell, Jim Freeman, Mel Erickson, and Ralph Wood. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney and all other available Division Directors.

Minutes of the last regular meeting, held February 10th, 1977, and a special meeting, held February 15th, 1977 were read and approved.

The Mayor announced that this was the time and the place, as advertised, to conduct a public hearing to consider the initial zoning of certain unplatted property at the intersection of Pancheri Drive and Utah Avenue, subject to that property being annexed into the City this night. To introduce said annexation proceedings, this memo from the Building Administrator was presented and read aloud by the City Clerk:

City of Idaho Falls
February 24, 1977

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: ANNEXATION & INITIAL ZONING – UNPLATTED PROPERTY AT INTERSECTION OF PANCHERI DRIVE AND UTAH AVENUE

Attached is a copy of an annexation ordinance for an unplatted parcel of ground at the intersection of Pancheri Drive and Utah Avenue. The Planning Commission reviewed this request at their regular meeting January 25th, 1977 and at that time recommended annexation to the City and initial zoning of I&M-1.

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

s/ Rod Gilchrist

Councilman Campbell explained that there were three principal property owners involved in this proposed annexation and that, in each instance, there is an agreement for providing needed services; therefore, no annexation agreement was deemed necessary.

ORDINANCE NO. 1483

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. (Unplatted property at intersection of Pancheri Dr. & Utah Avenue)

The foregoing Ordinance was presented in title. It was moved by Councilman Campbell, 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

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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.

The Mayor asked if there was anyone present to protest or otherwise comment on the initial zoning of the foregoing annexation as recommended by the Planning Commission. There were none who appeared for this purpose. It was moved by Councilman Campbell, seconded by Erickson, that this newly annexed property be initially zoned I&M-1 and the Building Official be directed to incorporate said zoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor invited Councilman Wood, as Chairman of the Electrical Committee, to escort Mr. Lloyd Munk to the Council table. The Mayor acknowledged Mr. Munk as a City employee retiree, having worked in the capacity of utility man and trouble dispatcher for the Electrical Division since he was hired in 1964. The Mayor commended Mr. Munk for his ability to have dealt with the public, at all times, in an affable and cooperative manner in the performance of his duties and, thus, serve in a public relations capacity for the City. The Mayor then presented Mr. Munk with an inscribed billfold as a token of appreciation and wished him well during his future years of retirement. Mr. Munk then received a congratulatory handshake from all City Officials around the Council Table.

Mr. Milt Adam, 1438 S. Woodruff Avenue, appeared before the Council and again asked about the illuminated sign on the library property, having been earlier told the owner had received instructions for its removal. Asked for comment, Building Administrator Gilchrist explained that the operator of the Star Doughnut Shop, after investigating, now has reason to believe the sign is on his property and is proceeding with a survey to determine the accurate property boundary line. Adam asked about a plot plan. Gilchrist said this would be somewhere in the archives, dating back to the time the library was constructed. Gilchrist continued by saying that the sign was there before the Doughnut Shop started business. He said the library board permitted its installation at the request of the Chamber of Commerce in exchange for a portion of the limited parking area adjacent to the library. In answer to a question by Mrs. Armel Cates, 965 Westergard, as to whether or not a sign permit was issued, Gilchrist answered in the affirmative but that it was only for the purpose of changing the wording of the sign. Gilchrist concluded his remarks by saying that it was the intention of the City to await the results of the survey before further action is taken.

Presented by the City Clerk were two damage claims against the City, as follows:

Denman, Reeves & Ohman
February 22, 1977

Clerk
City of Idaho Falls
Idaho Falls, Idaho

Dear Mr. Barnes:

This office represents Ms. Nina Moore, who presently resides, and for a period of six months immediately prior to, has resided in Idaho Falls, Idaho. Please be advised that on or about October 6, 1976, Ms. Moore's vehicle was stolen, such

theft having taken place in Idaho Falls. On such date, Ms. Moore made the City of Idaho Falls aware thereof. On or about October 12, 1976, such vehicle was

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recovered in the City of Rupert, by its Police Department, such latter Department failing to give notice to Ms. Moore. However, the Rupert Police Department, Ms. Moore, has been informed, did send a teletype to City of Idaho Falls, advising them of such recovery. Ms. Moore learned only February 12, 1977, that her vehicle had been recovered and was in Rupert. Negligence existed on the parts of both Police authorities in their failure to advise Ms. Moore that her vehicle had been recovered.

As a result of the aforementioned, Ms. Moore has suffered substantial inconvenience and damages in the sum of \$1,650 for which amount demand is hereby made against City of Idaho Falls.

Please advise the City's willingness to entertain such claim at your earliest convenience.

Yours very truly,
s/ John M. Ohman

Hoopes & Johnson
February 11, 1977

Ms. Velma Chandler
Deputy City Clerk
P.O. Box 220
Idaho Falls, Idaho

Dear Ms. Chandler:

In accordance with S6-906 of the Idaho Code, John Jones claims the amount of \$500.00 from the City of Idaho Falls. This amount represents the damages incurred by Mr. Jones on or about October 18, 1976, when the coil wire was revoked from his automobile at the direction of an officer of the Idaho Falls Police Department.

Persons involved, or witnessing the incident, other than the previously mentioned officer, were Mr. & Mrs. John Jones, Levi Strauss and Gene Bradley. The incident occurred in the parking lot of Sambo's Restaurant in Idaho Falls. As a result of said incident, Mr. & Mrs. Jones suffered embarrassment, inconvenience and loss of time on the job.

Mr. & Mrs. Jones reside at Box 671, Basalt, Idaho, 83218, and previous to that, they resided in California.

Sincerely,
s/ Neil A. Johnson

It was explained that, in the interests of time, these had been forwarded to the City's Liability Insurance Carrier without formal Council approval. It was moved by Councilman Karst,

seconded by Freeman, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

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The City Clerk noted that a legal notice was in the process of being published, calling for a public zoning hearing on March 10th, 1977 and that this was without benefit of formal Council approval. It was moved by Councilman Campbell, seconded by Erickson, that this action also be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Finally, under matters requiring Council ratification, the City Clerk noted that, at the last regular Council meeting, the City Controller requested and received permission to pay the January bills as soon as possible without Council approval due to computer conversion. It was noted that, in the interim period, said bills have been paid and warrants or checks issued. Following appear fund totals representing expenditures for January, 1977.

<u>FUND</u>	<u>PAYROLL</u>	<u>MATERIALS</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$568,436.65	\$401,096.75	\$969,533.40
Street Fund	108,393.12	28,878.99	137,272.11
Airport Fund	27,666.98	8,678.70	36,345.68
Water and Sewer Fund	143,144.29	48,024.17	191,168.46
Electric Fund	355,884.26	75,404.66	431,288.92
Recreation Fund	5,102.50	10,029.28	15,131.78
General Library	3,291.45	16,659.34	19,950.79
Regular Library	207.61	874.80	1,082.41
Revenue Sharing	17,852.04	.00	17,852.04
Community Development	26,194.09	813.15	27,007.24
Flood Disaster	<u>229,948.47</u>	<u>.00</u>	<u>229,948.47</u>
<u>TOTALS</u>	<u>\$1,486,121.46</u>	<u>590,459.84</u>	<u>2,076,581.30</u>

LIBRARY CONSTRUCTION EXPENDITURES

Expenditures To Date:		\$1,829,988.89
End of 1976		
DATE: 1/13/77	Mitchell Const. Co.	
	Const. Est. #15	24,744.53
1/06/77	Sundberg & Asso, Inc.	
	Architect Fees	21,210.00
1/18/77	Yost Office Systems	
	Office Equipment	3,069.00
1/27/77	Sundberg & Asso., Inc.	
	Architect Fees	<u>1,345.50</u>
	Total	<u>\$1,880,357.92</u>

It was moved by Councilman Karst, seconded by Freeman, that this action on the part of the City Controller be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

License applications for GROCERY STORE, Safeway Store #365, A. Street Health Foods, Safeway Store #232, Ira's Meat Block; RESTAURANT, Idaho Falls Hospital Snack Bar, Ford's Café, Orange Julius, J.B.'s Big Boy Family Restaurant, Jay's, Bowl-ero, Dean's Prairie Dog, Idaho Falls Temple, Jim Millard's Donuts, North Highway Café, Aunt Fanny's, Yellowstone Mall, Star Donut Shop; DAIRY, Western General Dairies, Inc., Reed Brothers Dairy; ELECTRICAL CONTRACTOR, Bailey's Electrical, CEE-JAY Co., Tom Snouffer Electric, Davis Electric, Inc.; JOURNEYMAN ELECTRICIAN, Tom Snouffer, Milton Freeman, Steve Bailey, Charles W. Bateman, Scott J. Davis, Richard J. Davis, Kenneth Carlson, O.J.

Brown; APPRENTICE ELECTRICIAN, John Jones; Tomas F. Snouffer, Ronald Gibson, Brad Anderson, Mike Mann, Charles Rankin; MASTER PLUMBER, Vern Saxton Plumbing, LaVar

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Turpin Plumbing; JOURNEYMAN PLUMBER, Melvin Turpin; CLASS B CONTRACTOR, WARM AIR, GAS & REFRIGERATION, Lyman Taylor Aire Service; JOURNEYMAN CLASS B, WARM AIR, HEAT, GAS, REF., Lyman D. Taylor; SUNDAY MOTION PICTURE THEATRE, United Artists, Lloyd Morgan; PAWN BROKER, Nick's Trading Post; BOWLING LANES, Bowl-ero, Skyline Lanes; BILLIARDS, Leslie Shumate for Mr. Ed's, Ford's Bar; AUCTIONEER, House of Bargains; COMMERCIAL KENNELS, Allen Veterinary Hospital, Rogers Pet Clinic, Northgate Veterinary Hospital; HOTEL, Ross Hotel; MOTEL, Motel West, Driftwood Motel; PHOTOGRAPHY, Robert Bower, Staker Photography, Perk's Photo Service, Melville's, Jay Ned Photography, D & M Photo Service; SECOND HAND STORE, Dean Seedall; BARTENDER, Dristin Fletcher, Sharon Frazier, Mario Piccirillo, Lorraine Hulett, Beth Hilger, Jon Jones, Barbara Blake, Nelson Allen, Robin Annette Bird, were presented. It was moved by Councilman Erickson, seconded by Campbell, 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 Director of Aviation came this memo:

City of Idaho Falls
February 23, 1977

TO: Mayor and City Council
FROM: Airport Committee
SUBJECT: LEASING OF ADDITIONAL SPACE TO CERTAIN AIRPORT INDUSTRIAL PARK LESSEES

The original plat of the subject area reserved a 75 foot wide strip north of southeast to serve as a combination road-taxiway. The desirability of such a roadway-taxiway has decreased with time. Maintenance of this area is an unnecessary cost to the Airport. Accordingly, adjacent lessees were contacted relative to their interest in this additional property. All responded affirmatively.

By mutual agreement, this approximately 5 acres was divided amongst the lessees. Rent for this additional property to be at the same per acre rate each lessee is now paying, for this additional property to be at the same per acre rate each lessee is now paying and subject to the same, conditions, covenants, ordinances, etc. as their respective original leases.

These lessees are: (1) Bonneville Construction Co. (2) Elliott Industrial Co. (3) James Mc Geachin Inc. (4) Overland West, Inc. (5) Triangle Recreation Inc. (6) United Development Corp.

A late applicant, (Feb. 3) Peterson and Nielson Construction, for the entire area was rejected by the Committee.

The Committee recommends that the City Council approve the six addendum to lease agreements.

s/ H. P. Hill

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In answer to a question by Councilman Karst, the Mayor noted that land values within the Airport Industrial Park are appraised at approximately \$3,000 an acre. In answer to another question by Karst, Aviation Director Hill appeared briefly to say that leases within the park vary from \$180 to \$230 per acre annually, depending on when the lease was approved. He said that the consumer index is a factor for determining annual rentals each time a lease is drawn or renewed. Karst registered objection, generally, to lease rentals within said park. He said that, in his opinion, land values, as previously determined, are not realistic, using as an example a recent court condemnation decision on land values immediately adjacent to the airport. Councilman Campbell concurred, noting that certain of these tenants, even though they are getting a bargain on their rental requirements with the City, are trying to force the issue on street improvements. Karst asked why a separate, more realistic agreement should not be considered on the lands ear-marked under the terms of the proposed addendums. Hill said this could be tried but he doubted that this would meet with the approval of the tenants, inasmuch as there is no access except for the existing frontage. In the absence of further comment, it was moved by Councilman Wood, seconded by Hovey, that these addendums be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, Councilmen Wood, Hovey, Freeman and Erickson; No, Councilmen Karst and Campbell; carried.

By memo, the City Controller asked for authorization to have published the budget hearing notices, as required by law. It was moved by Councilman Karst, seconded by Freeman, that authorization be granted for publication of these notices as requested. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the City Controller was forthcoming, as follows:

City of Idaho Falls
February 24, 1977

TO: Mayor and Council
FROM: John D. Evans
SUBJECT: COMMUNITY DEVELOPMENT FUND AUDIT

Request the Mayor to write a letter authorizing Williams, Ferguson & Co. to proceed with a special audit of Community Development Funds, according to Community Development audit regulations, starting prior to March 2, 1977. This audit to be completed and report mailed to HUD before Mayor 28, 1977.

s/ John D. Evans

It was moved by Councilman Karst, seconded by Freeman, that a letter, written by the Mayor, be sent to Williams, Ferguson & Co., authorizing that accounting firm to proceed with a special audit of Community Development Funds as recommended. Roll call as follows: Ayes, 6; No, none; carried.

From the General Services Director, this memo was presented:

City of Idaho Falls
February 17, 1977

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: AUTHORIZATION TO BID - PIPE AND FITTINGS

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The General Services and Public Works Division respectfully request authorization to advertise for bids for main line water pipe, fittings and valves for the year 1977.

Thank you,
s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that authorization be granted to advertise for bids on the material as indicated. Roll call as follows: Ayes, 6; No, none; carried.

The Electrical Engineer submitted this memo through the City Clerk:

City of Idaho Falls
February 24, 1977

ATTN: Mayor and Council
FROM: Steve Harrison
SUBJECT: CHANGE ORDER LOWER PLANT

The contractor has requested \$11,700.00 additional monies to replace the flashboards at the lower plant. The boards were lost during the flood and were not included in the original bid for dam replacement. It was initially contemplated to replace the flashboards with a concrete cap but all bids were rejected.

The contractor has requested 25 additional calendar days for this work. Money will be paid by via F.D.A.A. claims.

If you so desire to allow this change order, the Mayor and Clerk will need authorization to sign.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Campbell, that this change order be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Police Chief was presented:

City of Idaho Falls
February 24, 1977

TO: Honorable Mayor and City Council
FROM: Pollock
SUBJECT: REQUEST FOR LEAVE OF ABSENCE (LT. DEWITT J. LARSEN)

Lt. DeWitt J. Larsen has requested a leave of absence without pay covering the period of March 13, 1977 through April 30, 1977.

Your consideration for such leave is solicited along with the City keeping his insurance in full force and effect during the same period.

s/ R.D. Pollock

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It was moved by Councilman Erickson, seconded by Karst, that this leave of absence be approved under the terms and conditions as recommended. Roll call as follows: Ayes, 6; No, none; carried.

From the Building Administrator came this memo:

City of Idaho Falls
February 24, 1977

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: VACATION OF EASEMENT – HATCH ADDITION, DIVISION NO. 7

Attached is a copy of a request to vacate the easement located between Lots 16 and 17, Block 9 in the Hatch Addition, Division No. 7. The attached also proposes a new easement to replace the one to be vacated.

There is nothing located in the easement at this time and there are no objections to the request. This Department recommends approval as requested.

s/ Rod Gilchrist

It was moved by Councilman Campbell, seconded by Erickson, that the City Attorney be directed to prepare an appropriate vacating ordinance for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Building Administrator was presented, to-wit:

City of Idaho Falls
February 24, 1977

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST TO SET UP MOBILE HOME FOR TEMPORARY OFFICE

Attached is a copy of a request from Lemons House Moving Company to set up a double wide mobile home on their property located on Utah Avenue. They are requesting permission to use the mobile home as a temporary office building while the new offices are under construction. They are requesting the use for approximately one (1) year.

This Department recommends approval of the request on a six-month basis, with an option to renew for an additional six months if required.

s/ Rod Gilchrist

It was moved by Councilman Campbell, seconded by Erickson, that this mobile home be permitted at the location as requested for a period of six months with option for renewal at that time. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Building Administrator, this memo was submitted:

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City of Idaho Falls
February 24, 1977

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: COUNTRY CORNER ESTATES, DIVISION NO. 2 – COUNTY PLAT

Attached is a copy of a final plat of Country Corner Estates, Division No. 2. This plat is a County plat, but is within one mile of the City limits, therefore, it requires approval of the Mayor and City Council and the signature of the Mayor and City Engineer.

The City Planning Commission recently reviewed the plat and recommended approval as submitted. The requested zoning is residential and commercial to provide for a small shopping center in the area.

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

s/ Rod Gilchrist

After some study, it was moved by Councilman Campbell, seconded by Erickson, that this County plat be accepted and the Mayor and City Engineer be authorized to sign. Roll call as follows: Ayes, 5; No, 1; Councilman Karst voting no; carried.

The Mayor appointed Mr. Clair Randall to serve as a member of the Community Development Advisory Committee. It was moved by Councilman Karst, seconded by Freeman, that this appointment be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor then appointed Mr. Warren Mallard to serve as a member of the Central Safety Committee. It was moved by Councilman Wood, seconded by Freeman, that this appointment be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Hovey presented a request for a change order to the library construction contract to provide for the following:

Site Drainage	\$ 7,536
Curb Radius (parking lot)	380
Aluminares (parking lot)	2,933
Connection to City Fire Alarm System	\$12,840

Hovey said this would be within the allotted budget. It was moved by Councilman Hovey, seconded by Freeman, that this change order be approved and the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Hovey then presented a brief progress report on the new library. He said that, barring unforeseen delays, the library building would be ready for occupancy on June 1st and the outside facilities, including the parking lot, would be ready for use by July 15th, 1977.

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ORDINANCE NO. 1484

AN ORDINANCE VACATING A PORTION OF AN ALLEY WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING THE SAME; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK ON BEHALF OF SAID CITY TO EXECUTE AND DELIVER A QUITCLAIM DEED CONVEYING TITLE TO SAID PROPERTY TO THE OWNERS OF THE ABUTTING LANDS; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Karst, seconded by Campbell, 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.

ORDINANCE NO. 1485

AN ORDINANCE REPEALING SECTION 4-5-8 OF THE CITY CODE OF IDAHO FALLS, IDAHO: AUTHORIZING THE MAYOR BY PROCLAMATION TO LIMIT OR SPECIFY THE TIMES OF USE OF THE CITY WATER; REQUIRING PUBLICATION OF THE PROCLAMATION; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Karst, seconded by Campbell, 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.

City Attorney Smith reported that, in April of 1946, Ordinance No. 583 was passed, vacating a portion of Emerson Street in favor of the adjacent property owner but preparation and delivery of the deed has been inadvertently over-looked at that time. Smith said he now had prepared said deed and asked for authorization for its execution. It was moved by Councilman Karst, seconded by Freeman, that the Mayor and City Clerk be

authorized to sign this deed as recommended. Roll call as follows: Ayes, 6; No, none; carried.

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At the invitation of Councilman Erickson, the City Clerk presented and read aloud this letter:

City of Idaho Falls
February 20, 1977

The Honorable S. Eddie Pedersen
Mayor and Members of the City Council
308 C. Street
Idaho Falls, Idaho

Dear Mayor Pedersen and City Councilmembers:

Accompanying this letter is a package containing examples of pornographic materials that are available to youngsters in certain business establishments in Idaho Falls.

I am calling this to your attention as a concerned citizen as well as a teacher, in the hope that you will direct the proper authorities to rid our City of such debasing literature.

Respectfully,
s/ Marion A. Weitfle
Rt. 4, Box 65
Idaho Falls, Idaho

Asked for comment, the City Attorney explained that no particular Council action was required on problems of this nature inasmuch as regulatory directives are presently in existence as to procedure and police officers, with proper evidence are authorized to take appropriate police action. Erickson noted that there is a local case pending, allegedly having to do with a similar problem, as described by Mrs. Weitfle. The packet of material was turned to the Police Chief for proper investigation.

In earlier conversation during this Council meeting, the City Attorney eluded to the fact that the City Code needed up-dating, inasmuch as it still made reference to the Police Judge and the Police Court which, for some time, has ceased to exist. It was moved by Councilman Karst, seconded by Erickson, that the City Attorney be authorized to prepare an appropriate amendatory ordinance for Council consideration, deleting said reference to the Police Judge and the Police Court. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Lester Beck, 420 E. 16th Street, appeared before the Council to register a complaint about a sewage problem that exists at his son's home at 865 E. 14th Street which frequently results in a flooded basement. Beck protested the City's beautification improvement program as a flagrant expenditure of taxpayers' money, when such basic problems as plugged or inadequate sewers exist. The Mayor assured Mr. Beck this matter would be investigated.

There being no further business, it was moved by Councilman Freeman, seconded by Karst, that the meeting adjourn at 9:10 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

* * * * *