

FEBRUARY 10, 1977

The City Council of the City of Idaho Falls met in regular meeting, Thursday, February 10, 1977, at 7:30 P.M. in the City Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor Pro Tem Jim Freeman; Councilmen Mel Erickson, Ralph Wood, Paul Hovey, and Tom Campbell. Absent: Mayor S. Eddie Pedersen and Councilman Gil Karst. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; and all other available Division Directors.

Minutes of the last regular meeting, held January 20th and two special meetings, held January 27th and February 1st, 1977, were read and approved.

The Mayor acknowledged Mr. Darwin Palmer in the Council Chambers accompanying Scout Troop #325. He also recognized Mr. Dell Miller as being present with two scouts for purposes of observation. The Mayor thanked all of these young men and their leaders for their presence and their interest in local government.

The Mayor announced that this was the time and the place for a public hearing to consider initial zoning on two parcels recommended for annexation and one rezoning petition. It was explained that the initial zoning on said annexations would only be considered if the Council acted favorably on annexing the properties into the City. First to be presented was an area to be known as Pancheri Addition, Division No. 2. This introductory memo from the Building Administrator was read aloud:

City of Idaho Falls
February 10, 1977

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: FINAL PLAT, ANNEXATION & INITIAL ZONING - PANCHERI
ADDITION, DIVISION NO. 2

Attached is a copy of the annexation ordinance, annexation agreement, and the final plat of the Pancheri Addition, Division No. 2. This property is located on the south side Pancheri Drive and west of Grizzly Avenue.

The Planning Commission held an annexation hearing relative to this property April 27th, 1976, and at that time recommended annexation to the City, approval of the final plat, and initial zoning of R-1.

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

s/ Rod Gilchrist

A final plat of the Pancheri Addition, Division No. 2 was reviewed. It was moved by Councilman Campbell, seconded by Erickson, that this plat be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

An annexation agreement between the City and the Pancheri Addition, Division No. 2 developer was then submitted. It was moved by Councilman Campbell, seconded by Erickson, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

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ORDINANCE NO. 1480

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DECLARING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (PANCHERI ADDITION, DIVISION #2)

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 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 Council then considered initial zoning of the Pancheri Addition, Division No. 2. There were none who appeared to protest the zoning as recommended by the Planning Commission. It was moved by Councilman Campbell, seconded by Erickson, that this subdivision be initially zoned R-1. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Building Administrator served to introduce annexation proceedings on certain un-platted lands at the northwest intersection of Anderson Street and Lewisville Road:

City of Idaho Falls
February 10, 1977

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: ANNEXATION OF PROPERTY AT THE NORTHWEST INTERSECTION OF ANDERSON STREET & LEWISVILLE ROAD

Attached is a copy of an aerial photograph of this proposed annexation outlined. This annexation is being initiated by the City and is being done in conjunction with the extension of sewer and water lines in the area and street improvement programs. The area outline on the map represents approximately 15 ownerships. As of this writing, we have received no objection from property owners within the proposed annexation.

The City Planning Commission recently considered this annexation and at that time recommended that this property be annexed to the City and zoned HC-1 (Highway Commercial). This Department concurs with the Planning Commission's recommendation and it is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

Mr. Mack Dunkley, owner of property at 465 E. Anderson, appeared before the Council to inquire about sewer charges for commercial buildings and, also, when sewer service would be available to this area proposed for annexation. Asked for comment, Public Works Director Lloyd appeared briefly to say there was an ordinance to be presented for Council consideration this night and, if passed, sewer connection rates would be revised upward to \$300.00 and sewer main charge would be initiated in the amount of \$6.00 per front foot of the property to be served. Lloyd continued by saying the property in question would not be served with sewer until sometime in the spring of 1978. Dunkley then asked about City electrical service. Councilman Campbell explained that this could probably be arranged but that the property owner should first petition the private utility serving that area, stating his desire to be served by the City and that a release from said private utility would be necessary.

Mr. Don Lortz, manager of the Idaho Steel Products Company, appeared before the Council. Recognizing that his business operation was not included in this proposed annexation, Mr. Lortz inquired as to the prospects that his property, without being annexed, might be served by City sewer. Asked for comment, the City Attorney said that there have been such instances, but each request is given separate Council consideration at the time said request is made.

Mr. Morgan Edwards, President of Edwards Bros., 1875 N. Holmes, appeared briefly to ask about the possibility that his property might be served with water when it becomes part of the City by virtue of this proposed annexation. Lloyd reappeared briefly to say that he was entitled to this service but that it would be necessary that he be subject to the usual main and connection charge. Edwards then asked about street improvements. Lloyd answered by saying that there are no immediate plans for and L.I.D. for street, sidewalk, curb and gutter improvements. In the absence of further comment, this annexation ordinance was introduced:

ORDINANCE NO. 1481

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. (Property north of Anderson St. & west of Holmes 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 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.

Campbell then asked if there was anyone present to protest or otherwise comment on the initial zoning of the foregoing annexed area as recommended by the Planning Commission. No one appeared in this regard. It was moved by Councilman Campbell, seconded by Erickson, that this newly annexed area be initially zoned HC-1. Roll call as follows: Ayes, 5; No, none; carried.

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Finally, the Pearson-Jaring rezoning petition was presented. It was noted that these men are principal stockholders in a corporation known as Dream Home, Inc. This explanatory memo was read aloud by the City Clerk:

City of Idaho Falls
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MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REZONING – HIGHLAND PARK ADDITION, BLOCK 32, THE NORTH 125 FT. OF THE EAST ONE-HALF OF VACATED PORTION OF ANDERSON STREET

Attached is a copy of an application to rezone the above described property which is at the southwest corner of the intersection of Anderson Street and Blaine Avenue. The request is for rezoning from R-1 to R-3. The property to the east and west have recently been zoned to R-3.

The Planning Commission recently considered this request at the time they recommended the rezoning. This department concurs with the Planning Commission's recommendation and it is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

There were none who appeared to protest this rezoning request. It was moved by Councilman Campbell, seconded by Erickson, that this area be rezoned from R-1 to R-3. Roll call as follows: Ayes, 5; No, none; carried.

With reference to the initial zoning applied to the two foregoing annexations and the rezoning request, it was moved by Councilman Campbell, seconded by Erickson, that the Building Official be directed to incorporate said initial zonings and the rezoning on the official zoning map located in his office. 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 for a sign variance as more specifically explained by this memo from the Building Administrator:

City of Idaho Falls
February 10, 1977

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR VARIANCE – SIGN IN R-3A ZONE

Attached is a copy of a request to replace an existing pole sign at the Chiropractic Clinic at 554 3rd Street. The existing sign was for a business no longer operating at this location. The request is for a lighted sign.

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In line with past City policy, I would recommend that the request for the pole sign be granted as a non-illuminated sign. This request is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

Councilman Campbell took this opportunity to announce to the Council that the new sign ordinance is virtually ready for Council consideration and that said ordinance provides for non-illuminated signs in an R-3A zone without need for a variance. Dr. Dana Pletcher, member of the Chiropractic Clinic, appeared briefly to say that the sign in question would not be illuminated, per se; instead, it would be a wooden sign lighted by a flood light. The Councilmembers were in general agreement that this constituted an illuminated sign. It was moved by Councilman Campbell, seconded by Erickson, that permission be granted for a non-illuminated sign at the address in question. Roll call as follows: Ayes, 5; No, none; carried.

Noting Mr. Zane Hall in the Council Chambers, the Mayor asked the City Clerk to move the following item up on the agenda and present it at this time. This memo from the Building Administrator was read aloud:

City of Idaho Falls
February 10, 1977

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: PROPOSED AMENDMENT – HALL PARK SHOPPING CENTER DEVELOPMENT PLAN

Attached is a copy of the proposed development which provides for an addition to the existing Safeway building in the above mentioned shopping center. This proposal would extend the building 25 feet to the west and approximately 30 feet on the front. This addition will not affect the required parking as adequate parking facilities are provided. This will not affect the required parking as adequate parking facilities are provided. This will require relocation of one of the bridges across the canal.

This plan has been submitted because the RSC-1 zone requires approval of the Planning Commission and the Mayor and Council when any major amendment is made to the development plan. The Planning Commission recently considered this request and recommended approval of the proposed amendment.

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

After studying said development plan and after a comment by Councilman Campbell to the effect that there was no violation nor need for a variance involved, it was moved by Councilman Campbell, seconded by Erickson, that permission be granted to proceed with this development plan as described. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Dennis Phettaplace, manufacturing manager for Measurements, Inc., 1680 Foote Drive, appeared before the Council to ask when tenants along that street could expect it to be improved. Public Works Director Lloyd re-appeared briefly at the invitation of Councilman Campbell to say that there are no funds for this project in the nine months budget ending September 30th. He said it was conceivable that it might be funded during the twelve months budget beginning October 1st. Campbell added a comment to the effect that at one time, it was hoped that C.D. funds could be used for expenditures of this nature but this did not materialize. Mr. Phettaplace reminded the Council that his firm and others located along that street have patiently waited many years for this improvement without success. Campbell invited Mr. Phettaplace to attend the Tuesday morning meeting of the Public Works Committee so this matter could be discussed in further detail. It was moved by Councilman Campbell, seconded by Erickson, that this be referred to the Public Works Committee for further consideration. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Milt Adam, 1438 S. Woodruff Avenue, appeared before the Council, protesting the recent installation of a sign, allegedly on the old library property. It was noted that the sign identified the Star Doughnut Shop located in the building across the driveway, formally occupied by the Chamber of Commerce. Building Administrator Gilchrist interceded by advising that the sign had been brought to the attention of his department and instructions have previously been issued for its removal.

On another matter, Mr. Adam then said he had recently purchased a condominium within the Three Fountains complex and he checked his insulation after he noticed snow freely melting off the roof and, also, the fact that his water pipes had frozen during the extremely cold weather. He said he found that very little insulation had been installed when the condominium was constructed. He said he then called the Building Department and learned that the National Building Code requires only a minimum amount of installation. Asked for comment, Gilchrist concurred with these findings as reported by Mr. Adam. Gilchrist continued by saying that all his department can do is recommend that more insulation be added in the interests of heat loss. He said there is nothing to prevent a local ordinance being adopted that would be more restrictive than the National Code on this regard. Adam concluded his remarks by saying that such an ordinance should be in the best interests of the City, inasmuch as the City is in the business of providing electrical energy and is faced with the constant threat of future energy shortages. It was moved by Councilman Campbell, seconded by Erickson, that this matter be referred to the Building and Planning Committee for study and consideration. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Erickson asked that this memo from the General Services Director be moved upon the agenda and presented at this time:

City of Idaho Falls
February 9, 1977

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: NINETEENTH HOLE CAFÉ LEASE – PINECREST GOLF COURSE

It is the recommendation of the General Services Division that the City Council authorizes the Mayor and City Clerk to sign a lease agreement between John W. and Genice Stoffel and the City of Idaho Falls for the operation of the "Nineteenth Hole Café" and refreshment stand at the Pinecrest Municipal Golf Course Clubhouse. Attached also, are copies of the proposed lease as prepared

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by the City Attorney, a letter of intent signed by the prospective lessees and a statement signed by the present lessee, Harding Teuscher, acknowledging his accordance with this proposal.

Thank you,
s/ Chad Stanger

Erickson explained that this was in compliance with the wishes of the previous lessee, Mr. Harding Teuscher, and that, attached to the foregoing memo, was a written word to that effect as well as his recommendation that Mr. and Mrs. Stoffel be favorably considered. Mr. and Mrs. Stoffel were present in the Council Chambers and were introduced by Erickson. It was moved by Councilman Erickson, seconded by Campbell, that this one year lease be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

From the Building Administrator came this memo:

I. F. Planning Commission
February 10, 1977

MEMORANDUM

TO: Mayor
FROM: Rod Gilchrist
SUBJECT: PLANNING COMMISSION MEMBERSHIPS – APPOINTMENTS

There presently exists three (3) vacancies on the City Planning Commission caused by two terms expiring and the resignation of one member. Ms. Ann Larson has indicated her desire to be reappointed, while Mr. Richard Poitevin has declined reappointment. I therefore submit the following names for consideration:

Mrs. Ann Larson – reappoint for five-year term
Mr. Cannon Anderson – appoint for five year term
Mr. Gerald H. Scheid – appoint to fill un-expired term caused by resignation of Dr. W. Del Miller

s/ Rod Gilchrist

The Mayor acknowledged the presence of Mr. Cannon Anderson in the Council Chambers and expressed appreciation for his willingness to serve in this capacity. The Mayor proceeded to make these appointments as recommended. It was moved by Councilman Campbell, seconded by Erickson, that these appointments be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

Mr. John Combo, Vice-Chairman of the Library Board, appeared before the Council reporting that on February 3rd bids had been opened on the new library landscaping and sprinkler system project. He said that Federal Construction of Spokane, Washington was the low bidder in the amount of \$57,277 including all additive alternates which were well under the architects estimate and within the amount budgeted for this improvement. Mr. Combo then introduced Mr. William Bates, landscape architect, who had been named by Sundberg & Associates on a sub-contractor basis as the firm responsible for this project. Mr. Bates said it was a very successful bid opening with three bids under the architect's

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estimate. He said the Federal Construction bid called for sixty days completion and that construction would start about June 1st. It was moved by Councilman Hovey, seconded by Erickson, that the low bid of Federal Construction in the amount of \$57,277 be accepted for this project as described. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk drew attention to the fact that, in February 4th, 1977, in the interests of time, an auctioneer's license was issued to Tri-State Liquidators, Inc., with the approval of the Police Chief but without the approval of the City Council. It was moved by Councilman Erickson, seconded by Campbell, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

Presented by the City Clerk was this release agreement between the City and C.U.I. International:

RELEASE

For and in consideration of the payment to the City of Idaho Falls, Idaho, hereinafter referred to as "plaintiff", by C.U.I. International, hereinafter with Beatrice Foods Company collectively referred to as "defendants", of the sum of \$5,462.89, the receipt of which sum is hereby acknowledged by plaintiff. Plaintiff hereby releases defendant from all liability, demands, claims, judgments, costs, and expenses, of every nature and description arising out of or in any manner connected with that CERTAIN PARTICIPATION AGREEMENT executed on the 17th day of December, 1970, and executed by the plaintiff and defendant herein; and plaintiff authorizes the dismissal with prejudice of Case #23-183 filed in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Bonneville.

IN WITNESS WHEREOF the plaintiff has caused its official seal to be hereunto affixed and these papers to be executed by its Mayor and City Clerk thereunto by resolution of its City Council duly authorized this 10th day of February, 1977.

City of Idaho Falls
s/S.Eddie Pedersen
Mayor

It was noted that this had been signed by the Mayor and City Clerk at an earlier date without formal Council approval. It was moved by Councilman Campbell, seconded by Erickson, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Another matter requiring ratification, according to the City Clerk, was the publication of a legal notice calling for a zoning hearing on February 24th, 1977, and that said notice was being published without formal Council approval. It was moved by Councilman Campbell, seconded by Erickson, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Finally, under matters requiring Council ratification, the City Clerk noted that the notice of public hearing conducted this night pertaining to a sign variance was published without formal Council approval. It was moved by Councilman Campbell, seconded by Erickson, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

At this time, bills for the previous month would normally have been presented for payment. Instead, this memo from the City Controller was submitted:

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City of Idaho Falls
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MEMORANDUM

TO: Mayor S. Eddie Pedersen and City Council
FROM: John D. Evans, Controller
SUBJECT: LISTING OF BILLS TO BE PAID

Due to unforeseen problems in the computer conversion I am unable to provide a listing of the bills to be paid for your approval this evening.

However, I am requesting your authorization to pay the bills when ready and ratify the action at the next scheduled Council meeting February 24th.

s/ John D. Evans

It was moved by Councilman Erickson, seconded by Campbell, that bills for the month of January, 1977, be authorized for payment as soon as possible and that this action be ratified at the next regular scheduled Council meeting, as requested. Roll call as follows: Ayes, 5; No, none; carried.

Reports from Division and Department Heads were presented for the month of January, 1977, 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 GROCERY STORE, D & C Natural Foods, Grand Central, Barberio Cheese House & Delicatessen; RESTAURANT, Sagebrush Lounge, Sambos, Harmon's of Idaho, Pizza Hut, Sky Vu Theatre, Valley Vending, Taco Time, Paxmans Drive In, Paris Café, Tam's Frost Top, Rainbow Café, Hudsons Café, Towne House, Jolly Rogers, Sybil's Husky Oil Café, Wilkerson Arctic Circle, Billiard Shop, Chicken Broaster, Standard Works, Barberio Cheese House & Delicatessen; ELECTRICAL CONTRACTORS, Merkley Electric, Eager Electric, Oakey Electric, Nelson Electric, Smith Electric, Arthur Pugh Electric, Harold Clifford Electric, L.B. Electric, Dave Paulk Electric, Leonard's Petroleum Equipment Co., J.H. Electric, Falls Electric, Hansen Electric, Skyline Electric, Freeman Electric, Christensen Electric, Priest Electric, Crook Electric; JOURNEYMAN ELECTRICIAN, Loyale Babbit, John C. Christensen, J. Vernon Priest, James P. Crook, Richard Judy, John Lundblade, H.D. Merkley, David Eagar, Randall Wheeler, Jerald Oakey, Gary Oakey, Mardell Oakey, Glenn Schneider, Earl Nelson, Benny Nelson, Willard C. Smith, Robert Jones, Claude Lewis, Arthur Pugh, Jr., Harold W. Clifford, Lyndon Trupp, Norman W. Reno, Glen Landon, Bill Ziegler, Dave Paulk, David Lusk, A.E. Ainsworth, David Sitzmann, Marion Hanson, Leroy Hale, D.H. Fannesbeck, J.R. Hansen, J.F. Unsworth, Dennis Shaul, Keith Freeman; APPRENTICE ELECTRICIAN, Kent Rockwood, Robert Schriener, Craig Hansen, Robert Snell, Don Grover, Daniel Clifford, Thomas Bennett, Gary Foster, Richard Likes, John W. Clifford, Raymond Born, Jerry McGary, Philip Oakes, Dave Paulk, Alan Dial, Eddy Eames, Wayne Pettingill, Jay Parker, Brett Malcom, Allen Jorgensen, Wayne Munson, Neil McKay, J.W. Unsworth, Stephen Pugh, Raymond Judy, Craig Perrenoud, Rod Bowman, Tony Batero, Jack Tischkof, John Schluter, J. Terry Gardner, Paul Ettinger; MASTER PLUMBER, Reed Plumbing & Heating, Hills Plumbing, M & M Plumbing & Heating, Scott Blair Plumbing & Heating; JOURNEYMAN PLUMBER, Glen Reed, Donnie Olson, Robert Hill, Dale Mathews, Dallas Pope, Garon Green; CLASS B CONTRACTOR, GAS, WARM AIR, REFRIGERATION, Conan & Landon; CLASS B CONTRACTOR, WARM AIR, REFRIGERATION, Bonneville Service Center; CLASS C CONTRACTOR, WARM AIR, GAS FITTING, Valley Sheet Metal; CLASS D CONTRACTOR, REFRIGERATION, Falls Electric; CLASS B JOURNEYMAN, GAS, WARM AIR

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& REFRIGERATION, Norman Conan, Max Conan; CLASS C JOURNEYMAN, GAS, WARM AIR, Ramon Landon, Lowell Barnes, Glen Brown, Norman Godfrey, M. Leon Wyatt, Warren Wyatt; CLASS C JOURNEYMAN, GAS FITTING, WET HEAT, Dale Mathews, Dallas D. Pope; CLASS D JOURNEYMAN, WARM AIR, Jack Santee, James Walker; CLASS D JOURNEYMAN, GAS FITTER, Russell Portela; CLASS D JOURNEYMAN, REFRIGERATION, Blaine Olsen, Don M. Campbell; CLASS D APPRENTICE GAS FITTER, James Samargis; THEATRE, Kail Ellis for SkyVu Theatre; PAWN BROKER, Donald Leymaster, Bob Warren; DANCE HALL, (where alcoholic beverages are sold by the drink), Sagebrush Lounge; BILLIARDS, Billiard Shop, Corner Pockets of America; MOTEL, Riverview Motel, Motel 6, Bonneville Motel, Ray's Motel, Handy Cabins; HOTEL, Nelson Hotel, Hotel Idaho; PHOTOGRAPHER, Davis Photo, Jones & Presnell Photography, Photography by Larsen; TAXI OPERATOR, David J. Marler; BARTENDER, Judy Moore, Dick Jenkins, Lydia Galloway, Stephanie Patten, Mike Kyle, Esther Thornick, Carl Newton, Carole Good, Sharon McCafferty, Robert C. Woods, Sharron Lewis; BEER (Canned and bottled, not to be consumed on the premises), John H. Boozer; BEER (Canned, bottled to be consumed on the premises), Steve's Airport Service, 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, 5; No, none; carried.

The City Clerk noted that an application had been made by Douglas Hadley for a non-commercial kennel license and that after thorough investigation, the Police Chief had made recommendation that this license not be granted. It was moved by Councilman Erickson, seconded by Campbell, that this recommendation be upheld and that this license be respectfully denied. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk asked for authorization to publish, on February 13th, this annual certification of street revenue and expenditures, as required by law:

**CITY OF IDAHO FALLS
ANNUAL CERTIFICATION OF STREET REVENUE
AND EXPENDITURES
January 1, 1976, to December 31, 1976**

REVENUE:

Unexpected 1975 Street Funds brought forward	\$ -0-
Property taxes (for street use only)	30,400
State Motor Fuels Tax and Senate Bill Allocation	487,077
County road and Bridge Tax	159,793
Other – Revenue Sharing Community Development Capital Improvement	<u>859,422</u>
TOTAL REVENUE RECEIVED	\$1,536,692

EXPENDITURES

General Administration	60,730
Construction	601,730
Maintenance	275,661
Traffic Control	127,148
Snow and Ice Control	109,288
Street Lighting and Signalization	131,169

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Street Cleaning	70,285
Other	<u>160,613</u>
TOTAL EXPENDITURES	\$1,536,692
Unexpended Balance	\$ -0-

I, S. Eddie Pedersen, Mayor of the City of Idaho Falls, State of Idaho, do hereby certify the above is a true and accurate report of the street revenue and expenditures for the calendar budget year 1976.

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

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

From the General Services Director came this memo:

City of Idaho Falls

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID AUTHORIZATION – CHLORINE

The General Services and Public Works Division respectfully request authorization to advertise for bids to supply the City's chlorine needs for the year 1977.

Thank you!
s/ Chad Stanger

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

Another memo from the General Services Director was submitted, as follows:

City of Idaho Falls
February 8, 1977

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: AUTHORIZATION TO ADVERTISE – FIRE ENGINE

The General Services Division and Fire Department respectfully request permission to advertise for bids for a new fire engine. Delivery of this unit would be anticipated after October, 1977.

Thank you,
s/ Chad Stanger

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Time delay for delivery on a vehicle of this nature was given as justification for advertising for bids at this time. It was moved by Councilman Hovey, seconded by Campbell, that authorization be granted to advertise for bids on a fire engine, as recommended. Roll call as follows: Ayes, 5; No, none; carried.

The Public Works Director presented this memo through the City Clerk:

City of Idaho Falls
February 10, 1977

TO: Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: RAILROAD AGREEMENT FOR THE ANDERSON STREET INTERCEPTOR

We are attaching hereto two copies of a railroad agreement authorizing the Anderson Street Interceptor to pass under the railroad tracks near Willow Creek. We find that the agreement is in standard railroad form and calls for a \$150.00 payment from the City. This contract has been submitted to the City Attorney for review and if he offers no objections we would recommend that the Council authorize the Mayor to sign the City's approval.

Respectfully submitted,
s/ Don

It was moved by Councilman Campbell, seconded by Erickson, that the Mayor and City Clerk be authorized to sign this agreement and the Controller be authorized to make payment as indicated in the memo. Roll call as follows: Ayes, 5; No, none; carried.

From the City Controller came this memo:

City of Idaho Falls
February 10, 1977

TO: Mayor S. Eddie Pedersen
FROM: John D. Evans, Controller
SUBJECT: REVENUE SHARING CITIZEN PARTICIPATION HEARING NOTICE

Request that the City Clerk be authorized to publish a hearing notice of the proposed use of revenue sharing funds when the Revenue Sharing Budget is prepared.

s/ John Evans

It was moved by Councilman Campbell, seconded by Wood, that authorization be granted to publish this notice of hearing as requested. Roll call as follows: Ayes, 5; No, none; carried.

The City Attorney presented a City Redemption Tax Deed in favor of Laurence Fager, accompanied by this resolution:

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RESOLUTION (Resolution No. 1977-01)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by deed of the City Treasurer dated the 17th day of June, 1975, recorded as instrument #480436, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, within Local Improvement District No. 44, to-wit:

A parcel of land lying and being in Bonneville County, Idaho, and fronting on and being parallel with the south right-of-way line of 16th Street in Idaho Falls, Idaho, for a distance of 165' and having a depth of 125' perpendicular to said 16th Street right-of-way line, said parcel being a part of the following described property:

Beginning at a point 621' west and 40' north of the southeast corner of Section 20, T. 2N., R. 38, E.B.M; thence north 257' more or less to the south line of 16th Street; thence west 165'; thence south 257'; thence east 165' to the Point of Beginning.

WHEREAS, Lawrence Fager has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute, and deliver to the said Lawrence Fager a deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 10th day of February, 1977.

APPROVED BY THE MAYOR this 10th day of February, 1977.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was moved by Councilman Campbell, seconded by Erickson, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 5; No, none; carried.

ORDINANCE NO. 1482

AN ORDINANCE AMENDING SECTION 8-7-13 OF THE CITY CODE OF IDAHO FALLS, IDAHO, BY CHANGING THE CHARGE FOR SEWER CONNECTION PERMITS FROM \$100.00 TO \$300.00, ESTABLISHING AND FIXING A SEWER MAIN CONNECTION CHARGE BASED UPON THE FRONT

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FOOTAGE OF PROPERTY TO BE SERVED BY ANY PUBLIC SEWER AND PROVIDING THAT HEREAFTER NO CONNECTION PERMIT SHALL BE ISSUED FOR CONNECTION TO A PUBLIC SEWER UNTIL SUCH CHARGE IS PAID, REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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 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.

City Attorney Smith then submitted a close-out agreement between the City and the Idaho Falls Community Redevelopment Commission. It was explained that the approved project activities within the urban renewal area have been substantially completed except for the sale of certain project land which will result in a surplus grant and that this will be treated as program income. Under the terms of the close-out agreement, continued Smith, this must be used by the City solely for improvement activities within the project area. In answer to a question by Councilman Campbell, as to why said funds must be used in this location, Councilman Erickson explained that this was originally determined to be a blight area and elimination of said blight area was the purpose of the urban renewal program. The City Attorney drew attention to the fact that said funds could be put to good use, inasmuch as the City is assuming the Redevelopment Commission's obligation for such improvements as water and sewer lines within that area. It was noted that Mr. Duane Roberts, Assistant Director of the Community Redevelopment Commission, was present in the Council Chambers. Councilman Erickson, speaking in behalf of the Mayor and City Council, expressed appreciation to the Commission members for a fine job and for a commendable service rendered in the administration of the Urban Renewal Program, particularly the fact that all objectives were attained and was concluded, fiscally, in the black. It was moved by Councilman Erickson, seconded by Campbell, that this close-out agreement be accepted and the Mayor and City Clerk be authorized to sign, thus signifying the City's approval. Roll call as follows: Ayes, 5; No, none; carried.

Attention is drawn to page 505 in this book of minutes and, more specifically, certain action by the City Council relative to the need for a feasibility study at the Eagle Rock Power Plant and, also, the possible need for licenses from the Federal Power Commission and other regulatory agencies for rehabilitation or reconstruction of all three City-owned electric generating facilities. It was moved by Councilman Hovey, seconded by Wood, that the City Council hereby authorizes joint participation of the City of Idaho Falls with Energy Research and Development Administration (ERDA) in the "Project Definition Phase" of the project known as the Idaho Falls Low-Head Hydroelectric Program and further authorizes the Mayor to sign and transmit to said Agency of the Federal Government the City's proposal for joint participation entitled: "Proposal For Project Definition Phase of the Idaho Falls Low-Head Hydroelectric Program". Roll call as follows: Ayes, 5; No, none; carried.

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Councilman Campbell reported that, although he was not yet in a position to present a proposal relative to the expenditure of funds on the Senior Citizens' Center, he wanted to take this opportunity to submit a progress report from the Mayor's appointed committee of which he was a member. He said their findings to date reveal the fact that the structure can be purchased for approximately \$150,000 including an area that could be used as a parking lot. He said the building must be appraised before a firm recommendation can be made; also, continued Campbell, it must be determined what the County will agree to a remodeling program; and, finally, it is not yet known to what extent C.D. funds can be used in this acquisition and remodeling project. The Councilmen were in general agreement that this investigation should continue and that, at the proper time, a firm proposal be submitted for Council consideration.

There being no further business, it was moved by Councilman Hovey, seconded by Wood, that the meeting adjourn at 9:35 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ James R. Freeman
MAYOR

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