

JANUARY 20, 1977

The City Council of the City of Idaho Falls met in regular meeting, Thursday, January 20, 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, Mel Erickson, and Jim Freeman. Absent: Councilman 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 January 6th, 1977, were read and approved.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to consider a re-zoning petition from the concerned citizens of the Original Townsite, as more specifically explained by this memo from Building Administrator Gilchrist:

City of Idaho Falls
January 20, 1977

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REQUESTED REZONING OF EAGLE ROCK AREA

Attached are copies of several communications regarding the proposed rezoning of Winn's Addition Blocks 10, 13, 14, 17, 18 and the southern ½ of Blocks 5 and 9. This area is commonly referred to as the Eagle Rock area.

The attachments include a petition with the signatures of 52 property owners in the area, requesting rezoning of the above described property; a copy of a letter from the Local Housing Authority supporting the petition and a letter from R. E. Oyler protesting the petition. This office has also received verbal communication from three other property owners in the area, indicating that they did not wish their property rezoned.

This petition was originated by the City Planning Commission at the request of the residents of the area and the petition is to change the present General Commercial (GC-1) to R-3A. The Planning Commission reviewed this matter at their regular meeting December 14, 1976, and at that time recommended approval of the request, with the final boundaries of the rezoning to be determined by the staff and City Council.

This Department recommends that the boundaries of the proposed rezoning be changed as follows: the easterly boundary be moved to a distance of 150 feet west of the parallel to Oneida Avenue through the south half of Block 9, all of Block 14 and the north half of Block 17. At this point, the line follows the alley in block 17 westerly to Chamberlain Avenue, then south to Short Street. We feel that this change would satisfy the majority of the protests received by this office.

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

s/ Rod Gilchrist

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Councilman Campbell, using an aerial photo map, revealed the boundaries of the area that would be rezoned R-3A with particular emphasis on the proposed changes in the boundaries as indicated in the last paragraph of the foregoing memorandum. Campbell, speaking as Chairman of the Building and Zoning Council Committee, said that, in the opinion of said Committee, this rezoning would be beneficial to the affected residents, inasmuch as loans would then be available for purposes of remodeling and rehabilitation. Campbell said that it would not be in the interests of good planning to rezone any portion of Oneida, inasmuch as the greater percentage of this street is occupied by industrial or commercial tenants. In answer to several questions by Councilman Karst, Gilchrist appeared briefly to say that this entire area has been zoned GC-1 as far back as the existing records reveal. Also, continued Gilchrist, the Planning Commission went on record as favoring this rezoning because the affected area is primarily residential, including several well maintained residences, and because the residents had requested it. Gilchrist also noted that, even though the Rupeiks Study had recommended something other than residential for this area, several studies had been made with little success in an effort to determine the most appropriate zone and use, other than residential.

Mr. Kent Foster, Attorney with the Holden Firm, appeared before the Council representing several business establishments within the area. He presented this petition with 31 signers, protesting the proposed rezoning:

January 18, 1977

The Idaho Falls City Council and
The Idaho Falls Planning & Zoning Commission

Gentlemen:

We have been advised of a proposal to rezone portions of Blocks 5 and 9 and all of Blocks 10, 13, 14, 17 and 18, of the Winn's Addition to the Original Townsite of Eagle Rock (Idaho Falls), Idaho. We understand the property is presently zone "general commercial" and that the proposal is to change the zone to an R-3A.

The undersigned are all owners and operators of commercial or industrial businesses located in or near the area proposed to be rezoned. We desire by this letter to formally express our opposition to the proposal in its present form.

Virtually all of the area included in the proposed area are main arteries or truck routes and carry heavy traffic in connection with the operation of the commercial and industrial operations in the area. Many of us own and operate businesses within the area proposed to be rezoned, particularly along the east and south portions of the proposed area. There is also a substantial amount of commercial property located to the north of the proposed area, and across the road west of this area. During the past several years, we have witnessed quite a steady growth of commercial business establishments in this area, and believe that this would naturally continue to occur in the future. While there are still a number of residences in this area, nearly all of them are quite old, and many have been allowed to deteriorate quite substantially. It seems obvious to us that the future for this area would logically and naturally be continued development as commercial and industrial property.

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In our judgment, it would be short sighted and unwise to rezone the area as proposed.

We hereby request that this letter be made a part of the formal record and the proceedings on the rezoning proposal and that serious consideration be given to the views expressed herein.

Respectfully submitted this 20th day of January, 1977.

Mr. Foster acknowledged the fact that, with the revised boundaries as heretofore indicated, it would appear that most of the signers would no longer be affected.

Mr. Steve Duff, Chairman of the Concerned Citizens of the Original Townsite, appeared before the Council. Mr. Duff drew attention to the fact that, even though the Eagle Rock area had, to date and for many years, been zoned commercial, that type of development had been minimal which should raise a question as to whether or not it is suited for commercial establishments. On the other hand, continued Duff, there is and will continue to be little motivation on the part of the residents to up-grade their properties as long as this type of zoning continues. He said that, as indicated by those present this night, there are both young and elderly residents in favor of the rezoning.

Mrs. Alfred Pena, 271 Hill Street, appeared briefly to say that, even though she and her husband lived in a residential area, she protested the rezoning on the grounds that their property was purchased as an investment because of the commercial potential. Mr. Bob Bolinder, 268 Short Street, appeared briefly to say he favored the rezoning and, therefore, protested the revised boundaries, as indicated in the foregoing memo as this deleted his property from the proposed R-3A zone. Mr. Robert Oyler, 1025 Merritt Drive, appeared to say that he was a developer and owned properties on Basalt Street. He said he had acquired these because of the commercial zone and had planned to acquire more but that, in view of the existing zone, the long range plan for this area was intended for commercial development. In view of this, continued Hovey, this proposed rezoning, if accompanied, would result in spot zoning. He said the existing zone has been in effect many years and, if there is a valid reason for rezoning, then the entire area should be so rezoned. He said there has been little property change hands in recent years within the Winn's Addition, but that which has taken place has been on the valid assumption that this is and would continue to be a commercial area. Hovey concluded his remarks by saying that, in his opinion, especially since the Urban Renewal Program has been virtually completed, the future potential of Eagle Rock is for commercial development and that even if this proposed rezoning is permitted, nothing will be accomplished except renovation of existing structures to permit multiple dwellings and, therefore, said rezoning would only be a short term advantage.

Mrs. Nancy Duff, 302 Hill Street, wife of the Chairman of the Concerned Citizens' Committee, appeared briefly. She reminded the Council that many elderly people live in the Eagle Rock area and that, to them, this is their home and has been for a good many years. She said that, for them, it is an ideal location because of its close proximity to the Senior Citizens' Center, the new library, etc. She said the rezoning would permit them to improve their homes and that there is now more incentive for this, in view of the upgrading transition within the Urban Redevelopment area.

Mr. Curt Johnson, 284 4th Street, appeared before the Council to say that he was the owner of four houses on Fourth Street. He said he had a potential buyer for said property but that, since this rezoning proposal had been initiated, the buyer had, temporarily at least, until this issue was resolved, lost interest.

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In answer to a question by Councilman Freeman, Gilchrist reported that the Planning Commission vote to recommend R-3A zoning was unanimous and that, in the opinion of that body, this would not constitute spot zoning.

Mr. Gerald Taylor, 341 Basalt, appeared briefly to say that there are many homes throughout the area in need of remodeling and that money for that purpose can only be borrowed if the area is rezoned and if said homes were remodeled under the present zone, it would be doubtful that the property owner could ever recover remodeling costs when the property was sold. Taylor concluded his remarks by saying that, in his opinion, the area in question is not prime commercial property on the grounds that, after all these years being zoned commercial that type of development has been marginal.

Mr. Lee Dille, Chairman of the Idaho Falls Housing Authority, appeared before the Council and referred to this letter which had previously been submitted to the Planning Commission:

I. F. Housing Authority
November 17, 1977

Mr. Rod Gilchrist
Box 531
Idaho Falls, Idaho

Dear Mr. Gilchrist:

The Idaho Falls Housing Authority, in a regular meeting held on Tuesday, November 16, 1976, resolved to endorse the action of "The Original Townsite (Eagle Rock) Citizen's Committee" asking that zoning of their neighborhood be changed to R-3A. The Idaho Falls, Housing Authority further agreed to support the residents of this neighborhood in this action as well as subsequent actions to improve, upgrade, and eliminate blight in the original Townsite area.

It is the opinion of the Idaho Falls Housing Authority, as expressed by its members, that action such as this will improve the well-being of the entire area and will initiate a greater availability and assess ability of safe, sound and sanitary housing for residents of the City of Idaho Falls, and especially this specific neighborhood.

Sincerely yours,
s/ Lee Dille
Chairman-I.F. Housing
Authority

He said that, in his opinion, it would be to the advantage of the entire City if the area in question, being so close to the downtown area, were zoned residential. He said one of the primary objectives of zoning was to protect the property owner, at least the majority of those so affected. He said this is a unique rezoning request, inasmuch as it involved upgrading rather than downgrading and would benefit the residential property owner rather than the developer. In answer to a question by the Mayor, Mr. Dille said that, in his opinion, if the Curt Johnson property were excluded from rezoning, especially in view of the fact that it borders an industrial zone, this would still be acceptable and in the interests of good planning. Mr. Duff reappeared briefly to say that if this additional revised boundary line

were permitted to exclude the Curt Johnson property, it would not be acceptable to his group, inasmuch as nine residents would be adversely affected.

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Mrs. Ida Dodge, 370 Short Street, appeared briefly to concur with the remarks of Mr. Duff. She said she could see no logic to the Johnson proposal which would benefit him as a developer at the expense of nine residential property owners.

Councilman Karst then registered an opinion, saying that he could see no valid reason to abandon a good planning policy. He said the appearance of the Eagle Rock area plus the existing commercial zone would suggest to him that said area was destined to be commercial and, even though this rezoning proposal would permit remodeling or rebuilding existing residential structures, this would not be of long-lasting, beneficial advantage to the area. Also, concluded Karst, he said he was opposed to rezoning when affected residents or tenants had diverse interests.

Mr. Leo Linning, 341 Lava, addressing his remarks to Karst, said this residential area showed little upgrading progress only because property owners could not get remodeling loans. He said rezoning would change that for the better.

Mrs. Pena reappeared briefly to say that she agreed with Councilman Hovey; namely, that the entire area should be of one zone; either R3-A or commercial. Councilman Campbell reminded Mrs. Pena that, from the standpoint of good zoning and planning, a buffer zone has its merit and advantages.

Councilman Freeman registered an opinion to the effect that, after this lengthy discussion, it was obvious to him that at least a majority of those present favored and R-3A zone and, therefore, in view of the fact that it would result in up-grading, he could see no justifiable reason why said majority should not be given this opportunity. In the absence of further comment, it was moved by Councilman Campbell, seconded by Erickson, that this rezoning request be granted and that the entire area as indicated in the rezoning petition be rezoned R-3A with the exceptions as indicated on the foregoing memo from the Building Administrator and with the further exceptions as indicated in the foregoing memo from the Building Administrator and with the further exception that the southerly boundary line of the R-3A zone be the alley between Short Street and Hill Street extended to its intersection with Capital Avenue. Roll call as follows: Ayes, Councilmen Erickson, Campbell and Freeman; No, Councilmen Karst and Hovey; carried.

After a brief intermission, the Mayor announced that this was the time and the place, as advertised, for a public hearing to consider a request from Rogers Foods for a sign variance as more specifically explained by this memo from Building Administrator Gilchrist:

City of Idaho Falls
January 20, 1977

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR VARIANCE

Attached is a copy of a request for a sign variance, submitted by Rogers Foods, 3100 Rollandet, in an R-3A zone. The request is to permit the operation and maintenance of a non-complying sign on the property. The City Zoning Ordinance does not allow free standing illuminated signs in the R-3A zone.

The permit for this sign was erroneously issued by the Building Department. The sign company was notified the same day of the error and informed that a

variance was necessary if the sign was to be permitted. It was also noted that the sign was in place on that day.

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Inasmuch as the City Council has previously established precedence by granting variances for free standing, non-illuminated signs in the R-3A zone, this Department recommends the request be granted as a non-lighted sign.

s/ Rod Gilchrist

This letter was then presented and read aloud by the City Clerk:

Mr. Roy Barnes, City Clerk
Idaho Falls, Idaho

Dear Mr. Barnes:

I am sorry I signed the petition regarding Roger Brothers sign. Personally, I think it would be more effective closer to the building, but it is their sign and their property. As far as I am concerned, it should be their privilege to put it where they wish.

Respectfully,
s/ Lillian Gustafson

Councilman Campbell acknowledged that the erroneous issuance of this permit through the Building Department was unfortunate. However, continued Campbell, if a business establishment of this nature is permitted in a given location, said business should be entitled to an appropriate identification sign. Therefore, Campbell concluded, he favored allowing the sign but did not favor said sign being illuminated on the grounds that it would be precedent-setting for an R-3A zone.

Mrs. Fran Migel, Park Road, appeared before the Council to register opposition to the sign in question. She said she had indicated her feelings on this matter earlier by letter to Councilman Wood and assumed, as a result, it would take only routine action on the part of the Council to issue a directive to have the sign removed.

She said she opposed the sign on the grounds that it is precedent setting in an otherwise lovely area immediately across the street from an exclusive residential district. She said the sign is close to the street and is a constant distraction to those who travel Park Road.

Mr. Winston Beard, Attorney with Rogers Food, appeared before the Council. Mr. Beard explained that the sign is part of an over-all program to acquaint the public with the company's change of name and identify to Rogers Food. He said the company had no intention of acting in non-compliance with City Code but proceeded in good faith after the permit was issued. He reminded the Council that, if necessary, the company could comply with the Code by removing the sign and relocating that or even a larger illuminated sign on the face of the building. Mr. Beard refuted Mrs. Migel's argument by saying that the Rogers building is not in an exclusive residential district. He said there is only one residential area close, across the street to the east, and that is buffered along Park Road by a multiple dwelling four-plex. Mr. Beard then offered some candle power statistics pertaining to the lighted sign in an effort to prove that it was not bright enough to create a distraction. He said that, when the landscaping is completed, the sign would blend in nicely. In answer to a question by Campbell, Mr. Beard admitted that the underground electric service to the sign had been installed far in advance of the time the permit was erroneously issued. Campbell said there is no precedent for allowing an illuminated sign in an R-3A zone and the sign

company should have been aware of this. Mr. Ralph Marshall, 480 S. Sunnyside Road, appeared briefly, saying that he was one of the tenants in the 4-plex across the street. He

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said he agreed with Councilman Campbell that an illuminated light should not be permitted. Also, continued Marshall, he agreed that the sign company should have known that an illuminated sign would not be allowed at that location and could even be held liable if the lighted sign were permitted to remain. In the absence of further comment, it was moved by Councilman Campbell, seconded by Erickson, that a variance be granted for a non-illuminated sign at the location as indicated. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk presented and read aloud the following proposal from the Bonneville Humane Society to extend limited animal shelter services to the City of Rigby:

PROPOSAL

TO EXTEND LIMITED ANIMAL SHELTER SERVICES
TO THE CITY OF RIGBY (A MOTION FOR
CONSIDERATION BY THE IDAHO FALLS CITY
COUNCIL)

The Bonneville Humane Society in response to the promises by Rigby City officials to improve animal control practices and facilities, proposes to extend limited services of the Bonneville Animal Shelter to the City of Rigby under the conditions outlined below:

1. Transportation of animals from Rigby to the Bonneville County Animal Shelter shall be the responsibility of Rigby City personnel.
2. Animals from Rigby will be held at the animal shelter for a period not to exceed 48 hours.
3. The keeping of records of information on the animals brought to the shelter shall be the sole responsibility of Rigby City personnel.
4. All animals from Rigby which are not claimed within 48 hours shall be euthanized and cremated for a charge of \$3.00 per animal to be paid the Bonneville Animal Shelter by the City of Rigby.
5. All fees collected in connection with animals from Rigby shall be forwarded to the City of Rigby.
6. The aforementioned services shall be provided until June 1, 1977, or until the City of Rigby shall no longer have need of these services, whichever occurs first.

Respectfully submitted,
s/ Marilyn T. Hall
President Bonn. Humane
Society

This was followed by a prepared paper, listing the arguments put forth by the Humane Society in favor of the foregoing proposal, to-wit:

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Bonneville Humane Society Proposal

Arguments in favor of the Proposal:

The Bonneville Humane Society wishes to aid the City of Rigby in its task to improve its animal control program.

The City has expressed its intent to construct an animal shelter in the spring; however, until that time it does not have the facilities to adequately hold or humanely dispose of animals.

Extension of the service to Rigby is estimated to involve the handling of a maximum of 14 more animals per week than are currently handled at the animal shelter. Animal shelter manager, Brent Dees feels that the shelter can accommodate the additional animals during the specified period without interference with shelter operations for Bonneville County residents.

Providing the service will benefit the Bonneville County Animal Shelter in the short term because the shelter will now receive funds for services rendered in connection with out-of-County animals for which it has heretofore not been reimbursed.

The shelter will also realize long-term benefits because by aiding the improvement of Rigby Animal Control Program it will ensure a reduction in the number of animals brought to our shelter since Rigby residents and other Jefferson County residents will use the Rigby facility.

Finally, we shall all benefit by aiding the extension of humane treatment to more animals and thereby elevate our civilization perhaps a small, but significant amount.

Councilman Hovey questioned that this was proper procedure. Instead, continued Hovey, it would seem more appropriate if such a proposal were to be initiated and presented by the City of Rigby. Mrs. Hall, President of the Humane Society, appeared briefly to say that the City of Rigby has approached the Society on this matter and so they felt it would be in order to relay said request to the City Council. It was moved by Councilman Erickson, seconded by Karst, that this be referred to the Council's Police Committee for study and consideration. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Milt Adam, 1438 S. Woodruff, appeared before the Council with a reminder that, several months past, he had inquired about the Driftwood Motel sign located on City owned property adjacent to the west end of the Broadway Bridge. The City Attorney advised that he had sent a letter to the owner of the Driftwood Motel, giving them thirty days to move the sign. Councilman Campbell said that, as a result of said letter, the owner of the Driftwood Motel had been in touch with him, asking for an extension of time until appropriate arrangements could be made for relocation.

The City Clerk presented these damage claims:

JANUARY 20, 1977

City of Idaho Falls
Idaho Falls, Idaho

Travelers
January 10, 1977

Gentlemen:

We are the insurance carrier for James Frank Key, who sustained damages to his vehicle on December 14, 1976. The repairs to his vehicle have not yet been completed, but I expect them to be around \$2,000. According to our investigation of this accident, the damages resulted from a signal light located at South Boulevard and Elm Street, which we believe to be of faulty design, and therefore hazardous.

Based upon this, we are looking to you for reimbursement of any payments we may be called upon to make. Please notify us of your insurance carrier so that we might forward a copy of the estimate once the payment has been made.

Very truly yours,
s/ Priscilla Stimpson
Claim Representative

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

Dear Mrs. Chandler:

In accordance with S6-906 of the Idaho Code, Sarah Henderson claims the amount of \$198.30 from the City of Idaho Falls. This amount represents the damages incurred by Mrs. Henderson who was injured on September 26, 1976, about the grounds of the Idaho Falls Hospital, 900 Memorial Drive, Idaho Falls, Idaho.

Mrs. Henderson suffered abrasions and contusions on her left forearm, wrist, and hand when she tripped as a result of a defect in the sidewalk at the perimeter of the hospital grounds.

Mrs. Henderson resides at 1057 Elmore, Idaho Falls, and has resided there for six months immediately prior to the date of the accident.

Sincerely,
s/ Neil A. Johnson

It was explained that, in the interest of time, these had been forwarded to the City's liability insurance carrier on January 17th without formal Council approval. It was moved by Councilman Karst, seconded by Freeman, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

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Another matter requiring Council ratification, according to the City Clerk, was the signing of this letter of intent by the Mayor and City Clerk on January 11th without formal Council approval.

Letter of Intent
January 11, 1977

The Mountain States Telephone and
Telegraph Company (Mt. Bell)
Idaho Falls, Idaho

RE: PBS SYSTEM

Gentlemen:

We hereby express our intent to have you install of PBX System at the following location – 585 North Capital Avenue, Idaho Falls, Idaho. Said equipment shall be leased for a term of 10 years in accordance with applicable tariffs. The lease payments will consist of two parts: Fixed and variable. The fixed rent will apply without change during the first 10 years of the lease. The variable rent is in turn composed of two parts; A constant part and a variable part. The constant part is equal to 18% of the fixed rent and continues unchanged for the term of the lease. The variable part as currently specified in the tariff, is subject to change periodically, and continues for the term of the lease.

It is your intention to service and maintain such equipment.

This letter if intent is not a contract and is not binding upon either of the parties hereto. The parties shall not be found with respect to any of the matters set forth herein until a formal written agreement has been prepared and signed by the parties. This letter expresses the good faith and intent of the parties and is made to induce you to prepare and finalize a plan for the installing and utilization of the equipment and for an agreement thereon at an early date.

Very truly yours,
s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

Agreed to:
Mt. Bell
s/ E.M. Hill
Accounts Rep.

It was moved by Councilman Karst, seconded by Freeman, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Continuing with matters requiring Council ratification, the City Clerk noted that an advertisement for bids was in the process of being published for the construction of landscaping and a sprinkling system at the new Library and that said publication was

without benefit of formal Council approval. It was moved by Councilman Hovey, seconded by Freeman, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

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Finally, under matters requiring Council ratification, the City Clerk noted that a notice of public hearing had been published on January 16th pertaining to the Rogers Food request for a sign variance and that said hearing had been conducted this night. The City Clerk said publication of this notice had not been formally approved by the Council. It was moved by Councilman Campbell, seconded by Erickson, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

License applications for GROCERY STORE, Wine Craft, Monte's Food King; RESTAURANT, Wong & Yee's Fine Foods, Red Steer Drive Inn, McDonalds, K-Mart, Smitty's Pancake House; DAIRY, Andy Ames, Vaughn Asper & Judd Melgaard with Cream Top Dairy; ELECTRICAL CONTRACTOR, Bob's Electric, Edwards Electric, Thurman Babbitt Electric, T.V. James Electric, R & R Electric, Electrical Equipment Co., Inc. Lords Electric, Electrical Enterprise, Curtis Electric; JOURNEYMAN ELECTRICIAN, Robert E. Brown, Robert J. Edwards, James D. Kondel, Thurman Babbitt, T. V. James, Rocky Shore, Rod Dockstader, Edwin McGinty, William D. Blacke, Francis Irving Sherer, William D. Webb, Michael P. Johnson, Robert Oyler, Ramon Curtis, Boyd Emery, Kenneth Wilson; APPRENTICE ELECTRICIAN, Allen Landon, Boyd McCormick, Claude Walstrom, Lowell Shaw, Michael Faller, Robert Keele, Craig Moore; MASTER PLUMBER, Plumbing Heating Services, Inc., J & R Plumbing, Modern Plumbing, Greene Plumbing & Heating, First Street Plumbing & Heating, Wally's Plumbing & Heating; JOURNEYMAN PLUMBER, Daniel Lewis, Vern Hutchens, Stephen Crawford, Dale McBride, Allen Hines, Lynn Andrews, Arlan Rooks, Leslie Spear, Wallace Pendelton, John Siqueiros, Max Groom, Bruce Siqueiros, Rex Rolfe; APPRENTICE PLUMBER, Kent Rolfe, Randy Rolfe, Randy Madsen; CLASS C CONTRACTOR, GAS FITTING, WET HEAT, J.C. Siqueiros; CLASS C CONTRACTOR, WET HEAT, WARM AIR, Max Groom; CLASS D CONTRACTOR, WARM AIR, Wilford Wilcox; CLASS D CONTRACTOR, GAS FITTING, Paul Ostler, Jamie McNett, O.R. Birch; CLASS C JOURNEYMAN, GAS FITTER, REFRIGERATION, Leslie Spear; J.C. Siqueiros, Clifford Cook; CLASS C JOURNEYMAN, GAS FITTER, WARM AIR HEATING, Vern Hutchens; CLASS D JOURNEYMAN, Paul Ostler, Daniel Lewis, O.R. Birch, Del Russell, Clarence Benson, Gilbert Yost, Marvin Pitman, Gary Schultz, Gary Rasmussen; APPRENTICE CLASS D GAS FITTER, Gary Ostler, Daniel McComas, Bruce Morgan, Mark Ostler, Blair Nave; NON-COMMERCIAL KENNEL, William Goodwin; DANCE HALL, Stockman's Bar; PRIVATE PATROL SERVICE, Harry T. Mitchell, for Services, Inc.; TAXI OPERATORS, Annie Belle Petersen, P. Brady Long, Michael Campbell, Mark Brandon, Arthur Hammer, Tom Gibbons, George Johnson; BARTENDER, Julie Anderson, Steven Winder, Dorothy Thomson, JoAnn Divine, Dan Peterson, Renee Christofferson, Ronald Bagshaw, LaVar Bates; BEER (CANNED AND BOTTLED, NOT TO BE CONSUMED ON THE PREMISES), Stockman's Bar, Innersection; LIQUOR, Stockman's Bar were presented. It was moved by Councilman Erickson, seconded by Karst, 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 reported that, according to the Building and Zoning Department, there is need to conduct a zoning hearing on February 10th, 1977 to consider initial zoning in connection with two annexations and also one rezoning petition. It was moved by Councilman Campbell, seconded by Erickson, that authorization be granted for the City Clerk to publish a notice of zoning hearing accordingly. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Controller was presented:

City of Idaho Falls
January 20, 1977

TO: Mayor S. Eddie Pedersen and City Council
FROM: John D. Evans, Controller

SUBJECT: APPROVAL OF LEASE AND ADDENDUM TO LEASE FIRST
NATIONAL BANK

JANUARY 20, 1977

On December 9, 1976, I requested and received your approval to sign certain documents required to finance the lease of specific IBM S/3 Model 15 equipment.

Due to a legal problem between International Business Machines and the Idaho First National Bank that was irresolvable, I am requesting you now authorize the Mayor and City Clerk to sign the attached documents.

- (1) Assigning our IBM equipment on order to the Scenic Falls Credit Union
- (2) The lease and addendum to the lease with the Credit Union and the Idaho First National Bank.

The above will accomplish the same objective of savings.

These documents have been reviewed by the City Attorney and he finds them to be acceptable.

s/ John D. Evans
Controller

It was moved by Councilman Karst, seconded by Campbell, that this assignment lease and lease addendum be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

From the General Services Director came this memo:

City of Idaho Falls
January 18, 1977

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

The General Services and Public Works Division respectfully request authorization to advertise for bids for two (2) sanitation trucks for 1977.

Thank you,
s/ Chad Stanger

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

This memo from the Parks and Recreation Director was submitted:

City of Idaho Falls
January 20, 1977

TO: Mayor S. Eddie Pedersen
FROM: Parks & Recreation Commission – Lee Thompson, Pres.
SUBJECT: MEMBERSHIP

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The Bonneville Parks & Recreation Commission would like to recommend that you reappoint Karl Page, Wes Deist, Andy Anderson, and Blaine Godfrey to another 3 year term on the Commission.

s/ Ernest Craner

Acting upon this recommendation, the Mayor reappointed these four men as recommended to again serve as members of the Bonneville Parks & Recreation Commission. It was moved by Councilman Freeman, seconded by Erickson, that these reappointments be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls
January 20, 1977

TO: Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SANITARY INTERCEPTOR ACCOUNT

Interceptor sewers have always been and probably continue to be the responsibility of the City. To accomplish this task, a fund or account needs to be created whereby revenue monies can be accumulated sufficient to undertake a major contract. We are requesting the City Controller be authorized to establish a Sanitary Interceptor Account which can be used exclusively for construction of interceptors.

Respectfully submitted,
s/Don

It was moved by Councilman Karst, seconded by Campbell, that the City Controller be authorized and directed to create and establish a Sanitary Interceptor Account to receive and hold such funds as properly authorized. Roll call as follows: Ayes, 5; No, none; carried.

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

City of Idaho Falls
January 20, 1977

TO: Mayor and City Council
FROM: Director of Public Works
SUBJECT: LOMAX CONNECTION TO FIRST STREET

On Tuesday, January 18, 1977, two bids were received for the construction of the Lomax Connection to First Street as follows:

1. \$171,188.00 – H-K Contractors, Inc.
2. \$919,971.77 – Bonneville Paving

Although these bids were slightly higher than the Engineer's Estimate (\$167,499.50), we find them to be acceptable. We would recommend a contract be awarded to the low bidder, H-K Contractors, Inc. in the amount of \$171,188.20.

Respectfully submitted,
s/ Don

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Councilman Karst reported that, on this project, there is a problem of funding. He said that, although there are certain hold over funds available from the 1976 budget, these are not in sufficient quantity for completion of this project, based upon the foregoing bid. Karst continued by saying this is not the type of project which lends itself to accomplishment in stages and, once started, it should be completed in its entirety or not at all. In answer to a question by Councilman Erickson, Karst said a commitment of this nature cannot be made from the existing interim appropriate budget. Asked for comment, City Attorney Smith proposed that, without accepting the low bid at this time, the low bidder could be contacted and asked if he would extend the City's thirty day limitation to award the contract to at least April 1st, the date that the regular budget for this nine months period must be approved and accepted by ordinance. If the answer should be in the affirmative, continued Smith, said bid could be accepted or rejected at a later date. It was moved by Councilman Karst, seconded by Campbell, that the Public Works Director contact H-K Contractors and pose this question and that said reply be in writing and be reflected to the City Council for consideration. Roll call as follows: Ayes, 5; No, none; carried.

Still another memo from the Public Works Director was submitted, to-wit:

City of Idaho Falls
January 20, 1977

TO: Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SEWER CONNECTION FEES

In 1958, the City Council established a fee of \$100.00 for each new connection to the sanitary sewer system; the specific purpose of this connection fee was to establish a fund for the construction of interceptor sewers. It now appears the emphasis of Federal Aid will be toward treatment rather than sewage collection and the City must now prepare to fund interceptors with local monies.

In 1958, the bid price for an 8-inch sewer in place was \$3.04. The average of four recent contracts show the price of \$11.75 for the same 8-inch sewer. For this reason, we would recommend that the City Attorney be authorized to prepare an ordinance which would increase the sewer connection fee to \$300.00.

Respectfully submitted,
s/ Don

It was moved by Councilman Karst, seconded by Campbell, that the City Attorney be directed to prepare an appropriate amendatory ordinance for Council consideration. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Public Works Director, came this memo:

City of Idaho Falls

TO: Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SEWER CHARGE

Each property in Idaho Falls has in one way or another had to pay for the sewer which serves his property. The only known exception to this rule are those

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properties which happen to lie adjacent to a City constructed interceptor. To eliminate this inequity, we would recommend the Council establish a sewer charge of six dollars (\$6.00) per front foot for the property fronting a City constructed sewer.

Respectfully submitted,
s/ Don

It was moved by Councilman Karst, seconded by Campbell, that the City Attorney be directed to prepare an appropriate ordinance for Council consideration. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Electrical Engineer was reviewed:

City of Idaho Falls
January 19, 1977

TO: Mayor and Council
FROM: Steve Harrison
SUBJECT: REQUESTS FOR CITY ELECTRICAL SERVICE

Two requests for City electrical service outside the City limits have verbally been approved by Utah Power & Light Company. They are:

1. Bingham Mechanical for building service and located south of 17th Street, west of the Snake River and east of the overpass.
2. LDS Church property south of 17th Street and east of South Holmes for a pump load. Utah Power & Light Company has no facilities in this area.

Both of these are new services and will not require account or facility purchase by the City.

Your consideration of electrical service to these customers is requested.

s/ Steve Harrison

It was moved by Councilman Campbell, seconded by Hovey, that permission be granted for the Electrical Division to serve these two outside the City electrical accounts as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Another memo from the Electrical Engineer was submitted, as follows:

City of Idaho Falls
January 19, 1977

TO: Mayor and Council
FROM: Steve Harrison
SUBJECT: TRANSFER OF UP&L CUSTOMERS

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Forty-one Utah Power & Light Company customers within the City limits have petitioned the company for transfer to City electrical service. The company has agreed to these transfers and the total annual billings amount to \$20,993.28. Use of the 1.67 factor results in a total account transfer cost of \$35,058.77.

In addition, \$3,852.71 is required for facility purchase. This represents poles, hardware, wire, etc. required to facilitate service to the customer.

Your consideration of this transfer proposal is requested.

s/ Steve Harrison

The foregoing memo referred to 41 electric customers, as follows:

NAME	ADDRESS
L & O Head & Blk WBG	2429 ½ Rollandet
Mickelson Marble	2429 Rollandet
American Plumbing & Heating	Rt. 4
American Plumbing & Heating	2425 Rollandet
Wendell Sanderson	Rt. 3, Box 302
Robert G. Gray	Rt. 3, Box 302
Maude Sanderson	Rt. 3, Box 302
Grant C. Ward	2445 Rollandet
Larry Carlson	1025 Milligan Road
Neils Husky	2880 S. Yellowstone
Hanson Beeline Oil	Rt.4
Riverview Motel	2930 S. Yellowstone
Intermountain Builders	2990 S. Yellowstone
Riverview Motel	2930 S. Yellowstone
Riverview Motel	2930 S. Yellowstone
Kim May	2930 S. Yellowstone
Steven Campbell	2930 S. Yellowstone
Kay Whittaker	2930 S. Yellowstone
Alan Thompson	2930 S. Yellowstone
Debbie Fredrickson	2930 S. Yellowstone
Gene Hingsberger	2930 S. Yellowstone
Pat Rainey	2930 S. Yellowstone
David Still	2930 S. Yellowstone
Vicki Andrews	2930 S. Yellowstone
Travis S. Plowman	2930 S. Yellowstone
Saul Medrano	2930 S. Yellowstone
Chester Meyers	2930 S. Yellowstone
Ralph Pegg	2930 S. Yellowstone
House of Carpets	1953 N. Yellowstone
House of Carpets	1953 N. Yellowstone
N. Highway Motel	1987 N. Yellowstone
N. Highway Motel	1987 N. Yellowstone
William Austin	1953 N. Yellowstone
Carl Jensen	1953 N. Yellowstone
Austin Balletts	1953 N. Yellowstone
William Austin	1953 N. Yellowstone
Kenneth G. Bagley	1953 N. Yellowstone
Ralph D. Gifford	1963 N. Yellowstone
Lee Blumharst	1953 N. Yellowstone

Mountain Bell - Phone booth

1853-1987 N. Yellowstone

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It was moved by Councilman Campbell, seconded by Hovey, that these electric accounts be transferred from Utah Power & Light to the City of Idaho Falls for servicing and the funding of said account transfer be authorized as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Electrical Engineer, this memo was presented:

City of Idaho Falls
January 18, 1977

TO: Mayor and Council
FROM: Steve Harrison
SUBJECT: CHANGE ORDER #1, LOWER POWER PLANT

H-K Contractors have asked for a 50 day extension of their contract to repair the lower plant dam. Ellsworth Engineering agrees with the validity of their request because:

1. Twenty days resulted from delay in obtaining water resource and Corps of Engineers permits.
2. Thirty days resulted from additional dewatering and flashboard repair.

The additional cost for this change order is \$58,000. An amended damage survey report (DSR) will provide for this funding.

The Electric Division requests authorization for the Mayor and City Clerk to sign this change order.

s/ Steve Harrison

It was moved by Councilman Campbell, seconded by Hovey, that this change order be approved as recommended and the Mayor be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Traffic Safety Committee was submitted:

City of Idaho Falls
January 20, 1977

TO: Honorable Mayor and City Council
FROM: Pollock – Chairman Traffic Safety
SUBJECT: COST ESTIMATE & PEDESTRIAN CROSSING SIGNS & SIGNALS

Referred from the Council meeting of 18 November, 1976, was the request for cost estimate and drawing of the pedestrian crossings including adequate signs with bouncing ball effect lights to alert the drivers of vehicles on Memorial Drive between "E" and "F" Streets.

s/ R.D. Pollock

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Attached to the foregoing memo was the following itemization, prepared by Design Engineer, Ed Turner, revealing the cost listing and cost of needed materials for the pedestrian crossings in question:

City of Idaho Falls
January 20, 1977

TO: Bob Pollock, Chief of Police
FROM: Ed Turner
SUBJECT: MEMORIAL DRIVE PEDESTRIAN CROSSING BETWEEN E STREET AND G STREET

The following is a list of materials and costs to complete the project as approved by the City Traffic Safety Committee:

1.	Two galvanized steel poles and mast arms 20 feet by 30 feet long – Ameron Catalog No. WR-4-2030 including 8 anchor bolts 1 3/8" X 44" with 4" hook	\$2,000.00
2.	Concrete for two pole bases	100.00
3.	Two flashing units with sockets Manufacturer – Enerco, Seattle, WAF-2000-W-2C Det. Serial No. 7301009	200.00
4.	Two enclosures: waterproof, swinging door with lock, 16" high by 12" wide by 8" deep	50.00
5.	Electrical Service; Weather head, 20 amp disconnect, meter base, conduit wire and miscellaneous fittings	150.00
6.	Four pedestrian crossing signs	<u>100.00</u>
	TOTAL:	\$2,600.00

A work request will be issued to the Building Maintenance Department to install the pole bases, to the Electrical Department to perform the electrical work, to the Engineering Department to perform the signing and striping.

Also, attached herewith is a plan showing the type and location of the poles and signs.

The sign and striping department will also paint the crosswalks with wider lines and heavier coats. If we can be of further assistance, please let us know.

s/ Ed Turner

There was some general discussion relative to the need for budgeting this expenditure, based on safety factors. It was moved by Councilman Erickson, seconded by Karst, that this

project be approved, subject to a decision as to the availability of adequate funding from the Electrical budget. Roll call as follows: Ayes, 5; No, none; carried.

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This memo from the Building Administrator, dated January 6th, 1977, was introduced by Councilman Karst:

City of Idaho Falls
January 6, 1977

MEMORANDUM

TO: Gil Karst
FROM: Rod Gilchrist
SUBJECT: CDBG APPLICATION

This memo confirms our telephone conversation of this date. The list of projects approved by the City Council for inclusion in the 1977 Community Development Block Grant application did not include any funds for administration. I am sure this was an oversight on everyone's part, as this has been customary in other applications. I have, therefore, with your concurrence, reduced the local option amount from \$58,000 to \$50,000 and included an \$8,000 activity for administration.

Would you please introduce this item to the City Council so that it will be a matter of record. The application will be mailed to HUD tomorrow, January 7, 1977.

s/ Rod Gilchrist

Drawing attention to the fact that the revised application, as referred to in the foregoing memo, was mailed to HUD January 7th, 1977. Karst explained that said memo was prepared for presentation at the last Council meeting but was inadvertently overlooked. It was moved by Councilman Karst, seconded by Freeman, that the foregoing memo be made a matter of record and the Building Administrator's action as of January be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Erickson, that the meeting adjourn at 10:00 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/S. Eddie Pedersen
MAYOR
