

## MARCH 11, 1976

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The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, March 11, 1976 at 7:30 p.m. in the City Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pederson; Councilmen Jim Freeman, Melvin Erickson, Ralph Wood, Gilbert Karst, Paul Hovey, and Tom Campbell.

Minutes of the last recessed regular meeting, held February 26<sup>th</sup>, 1976, were read and approved.

The Mayor acknowledged a Skyline Government Class in the Council Chambers. He thanked them for their presence and their interest in local government.

Councilman Erickson introduced David White, explaining that he was present in the Council Chambers because he was working toward a merit badge. The Mayor thanked him for his presence and wished him well toward this admirable objective.

Mrs. Lynn Smith, a representative of the League of Women Voters, appeared before the Council and read aloud this prepared statement:

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### CITY COUNCIL MEETING

My name is Lynn Smith and I am a Voter Service Chairman for the League of Women Voters. I am here with the LWV, the AAUW, and any other citizen of Idaho Falls who is interested in resolving the voter registration problems in favor of a joint registration between the City and the County. We hope you will view our presence here as being one of encouragement and cooperation.

In January of 1976, Michele Brown, President of AAUW and Mary Lou Marshall, President of LWV and I discussed this problem with Mr. Roy Barnes, the City Clerk, and Mr. Del Bodily, the County Clerk.

The possibility of unresolved legal questions, the fact that there were 3 elections for the County Clerk's office to prepare for and the general restraints of a limited budget and staff were all acknowledged. However, at that time, they both felt that November of 1976 was not an unrealistic goal.

We were told that they had to request an Attorney General's opinion on the legal questions. When we checked back to see what the Attorney General had to say, we were told that he should not be consulted until after a formal legal opinion had been sought from Mr. Arthur Smith, the City Attorney. Mr. Smith stated to us on Monday, March 1<sup>st</sup>, that he had never received a formal request for a formal legal opinion concerning joint registration.

It is our understanding that according to the enabling legislation, the cities are required to take the initiative on accepting the County's registration procedure. We urge you to resolve any legal technicalities and consider passing a resolution to this effect.

Perhaps now, after further study, joint registration may not be possible by November, 1976. However, considering that the enabling legislation was effective January 1, 1971, we do feel that the public deserves a stated deadline now. Boise, Nampa, Caldwell, and Pocatello have all accomplished joint registration.

The LWV, and the AAUW are willing to cooperate in resolving this problem as expeditiously as possible.

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Replying on the foregoing statement, City Attorney Smith said that, although he had never received written instructions to brief this matter, he had been involved in several verbal discussions with the City Clerk and the County Clerk. He said it was clearly a matter of statute interpretation, inasmuch as the State Legislature did pass enabling legislation permitting Cities, by resolution, to adopt County registration procedures without guidance to the Cities as to that which constituted qualified electors. Smith said he discussed this matter with certain people during a recent trip to Boise including Chuck Moss, Pocatello City Manager, who admitted, even though that City had previously adopted their County's registration procedures, there was a gray area which, according to Mr. Moss, they had attempted to clarify by having all voters at the municipal election sign affidavits to the effect that they were qualified electors. Smith said there was no statutory guidance that this was proper procedure. Smith continued by saying he had conferred with the AIC Executive Director who advised that that organization had on their agenda a clarifying bill for next year's legislative consideration which would give cities and counties some much needed guidance and clear up obvious ambiguities because, at the present time, counties may place on their qualified rolls anyone who has registered within the past four years whereas cities, by state statute, much limit qualified electors to those who voted in the last general municipal election. Smith said the cities should be cautious about proceeding without guidance or a test case, particularly from the standpoint of determining qualified electors for a bond issue which must be administered not only in accordance with proven State statute but under the close scrutiny of nationally recognized bond attorneys. Asked for comment, City Clerk Barnes reminded those present that, even after a resolution is adopted, by far the greater percentage of the work load becomes the burden and responsibility of the County Clerk. Smith concurred and this prompted his further comment to the effect that, even if there were no ambiguities, he would recommend to the Council that a resolution not be adopted until the County was ready as there was nothing in the law that would suggest that the resolution, once adopted, could be rescinded.

Mrs. Smith said she recognized the problems as related by the City Attorney and their presence here this night was for the purpose of getting the wheels in motion, rather than wait for a last minute attempt for such action later on.

The Mayor, speaking for the Council, said there was complete agreement that the existing procedure breeds confusion at the polls and that every effort should be made to update the system for easy compliance through a legal and expeditious manner of uniform registration.

Mrs. Michele Brown, President of the American Association of University Women, appeared briefly to say that it was surely not the intent of the lawmakers that registration as a requirement of voting should create confusion. She said it was difficult for her to understand how and why other cities throughout the State had proceeded with joint registration with no apparent problems.

Mrs. May Lou Marshall, President of the League of Women Voters, appeared briefly to say she had recently conferred with the Boise City Clerk who said he could see no problem. He said it was a simple matter of the County accepting the City rolls and visa versa. The City Attorney replied by saying that, as City Attorney, he was not in a position to accept this theory. He said that, without proven guidance, other cities proceeding in this manner does not, in itself, make it right for this City. The City Council, by general concurrence, however, agreed with the concept that joint registration, under proper legal guidance and as a matter of general policy, is the ultimate solution. It was moved by Councilman Karst, seconded by Campbell, that this matter be referred to the City Attorney, the City Clerk and the County Clerk for continued study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Jack Viggers, Executive Director of the Easter Idaho Special Services, appeared before the Council and presented this written statement, read aloud by the City Clerk:

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Gentlemen:

On behalf of the Board of Director and Staff of the Eastern Idaho Special Services Agency, Inc., I must protect the continued slurs against our organization which appears in public print. If participants in our programs find fault with our service that is one thing, but irresponsible comments by elected public officials is quite another.

The gratuitous suggestions what we are somehow the enemies of the public order demand a response.

First, we are a private, non-profit organization with a distinguished Board of Directors. These persons are listed for your information:

Chairman:	Mr. C.A. Brady, Member of Chamber of Commerce Board, YMCA Board, Businessman
Vice-Chairman:	Ms. Marilyn Howard, Educator from Arco
Sec-Treasurer:	Ms. Lucille Martin, Church and Community Leader
Members:	The Honorable Leo Clawson, Chairman, Bonneville County Commissioners
	The Honorable Dane Watkins, Senator, District 30
	Dr. Jay Casper, Superintendent School Dist. #91
	The Honorable Thomas Campbell, Councilman, City of Idaho Falls (newly elected)
	Mr. George Perez, Past President, Head Start Parents Action Council
	Ms. Judy Goldman, Head Start Parent Representative
	Mr. Alvin Denman, Attorney at Law
	Mr. Joseph Bailey, Past President, AARP, White House Conference Delegate
	Ms. Yochi Ochi, Community Leader, serves on many elected and appointed boards and committees
	Ms. Eva Russel, Retired Teacher
	Mr. Stark Johnson, Retired Community Leader
	Mr. Emil Moore, Vice-President First Security Bank and Community Leader

These are the persons whose integrity is being questioned when the charge of undermining the authority of elected officials is either made or implied.

The fact is, the Eastern Idaho Special Services Agency, Inc. was formed to fill the vacuum created when elected officials refused to act on behalf of our elderly, handicapped and disadvantaged citizens. At any time local authority wants to direct or control the social services activities of this agency, they have only to take appropriate action to do so. In every case, local government has a priority over the funds we administer. The concerned Federal agencies would prefer to do business with you rather than with us. We have made that perfectly clear to you on many occasions. So long as you choose not to bear the burden, we would appreciate your at least keeping quiet about those who have accepted responsibility. We have long since given up hope that the City of Idaho Falls

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will give any tangible support to the Eastern Idaho Special Services Agency. We are grateful for the token support you give the Idaho Falls Senior Citizens Center.

We will continue to press you to fulfill your responsibility to the elderly, the handicapped and the poor of this City. We will not accept the argument that the City has no responsibilities for welfare, since the only responsibility of government is the general welfare of the people. So long as you continue to deny that responsibility, just that long we will continue to press the issue upon you.

I again invite anyone or all of you to inspect our operation at anytime. You may see our books, they are public. We will answer questions. We will show you anything you want to see. There is no possible excuse for any elected official to declare in public print, that he does not know what is going on in our organization. If he doesn't know, it is because he hasn't bothered to find out or does not want to know.

s/ Jack T. Viggers  
Executive Director

s/ C. A. Brady  
Pres.-Board of Directors

Mr. Viggers then said he wasn't appearing this night for the purpose of creating a hassle but that, over the years, it was apparent that the organization he represented had been the focus of attention, including unwarranted criticism, over and above other social services agencies and this was resented by the Board of Directors, who, Viggers, continued, were a distinguished group of local citizens who should receive acclaim, rather than criticism, for their dedicated efforts and accomplishments. Viggers concluded his remarks by saying that he and the other Board members welcomed Councilman Campbell as a newly appointed Board member. Campbell responded by saying that he welcomed this opportunity to serve and was looking forward to sitting in with the Board as a means of gaining a deeper insight to the over-all services offered by the Agency.

Bills for the month of February, 1976, having been properly audited by the Fiscal Committee, were presented. The City Clerk read aloud all fund totals for salaries, materials and services, as follows:

<u>FUND</u>	<u>SERVICE AND MATERIALS</u>	<u>GROSS PAYROLL</u>	<u>TOTAL EXPENDITURE</u>
General Fund	\$163,985.79	\$249,366.40	\$413,352.19
Street Fund	26,542.83	14,407.63	40,950.46
Airport Fund	2,613.36	5,164.33	7,777.69
Water and Sewer Fund	106,084.79	28,717.36	134,802.15
Electric Fund	190,596.63	46,000.85	236,597.48
Recreation Fund	1,473.19	3,147.20	4,620.39
General Library	2,214.44	9,679.23	11,893.67
Regular Library	149.51	639.85	789.36
Revenue Sharing	4,375.38	.00	4,375.38
Community Development	<u>9,942.22</u>	<u>553.76</u>	<u>10,495.98</u>
<b><u>TOTALS</u></b>	<b><u>\$507,978.14</u></b>	<b><u>\$357,676.61</u></b>	<b><u>\$865,654.75</u></b>

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**LIBRARY CONSTRUCTION EXPENDITURES**  
**BONDS AUTHORIZED**  
**\$2,677,000.00**

<b><u>DATE</u></b>	<b><u>COMPANY</u></b>	<b><u>DETAIL</u></b>	<b><u>EXPENDITURES</u></b> <b><u>TO DATE</u></b>
1-14-75	I. F. Redevelopment Commission-Land	500.00	
3-14-75	Post Register-Bond Advertisement	147.40	
4-14-75	Post Register-Lib. Gen. Obligation Bonds	152.46	
4-16-75	I. F. Redevelopment Commission-Land	256,976.30	
4-16-75	Hoyt Galvin & Assoc.- Consulting Fee	1,598.12	
<b><u>Year to Date - 4-30-75</u></b>			259,374.28
5-75		.00	
6-75		.00	
7-75		.00	
8-75		.00	
9-75	City of I. F. General Fund	799.86	
	Hoyt Galvin & Assoc.- Consulting Fee	1,011.34	261,175.48
10-75		.00	
11-7-75	Mitchell Construction Co.	57,596.86	
11-17-75	Idaho First National Bank, Boise	13,385.00	
11-25-75	Mitchell Construction Co.	55,090.64	387,247.98
12-75		.00	
<b><u>1976</u></b>			
1-9-76	Sundberg & Associates, Inc.	101,000.00	
1-9-76	Mitchell Construction Co.	80,021.74	568,269.72
2-5-76	Mitchell Construction Co.	17,520.62	
2-11-76	Hoyt Galvin & Associates	5,594.99	591,385.33

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

Reports from Division and Department Heads were presented for the month of February, 1976, 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 were presented as follows: RESTAURANT, Ramada Inn, Albertson's, North Hiway Café; ELECTRICAL CONTRACTOR, Alva Lewis; JOURNEYMAN ELECTRICIAN, Alva Lewis, Enock Weber; APPRENTICE ELECTRICIAN, Stephen G. Pugh, Wayne Eugene Landers, Rod Bowman; MASTER PLUMBER, American Plumbing and Heating; JOURNEYMAN PLUMBER, Garon Green; CLASS B CONTRACTOR, GAS FITTING, WARM AIR HEATING, WET HEAT, American Plumbing and Heating; CLASS B CONTRACTOR, GAS FITTING, WARM AIR HEATING, REFRIGERATION, Conan and Landon; CLASS B JOURNEYMAN, GAS FITTING, WARM AIR HEATING, REFRIGERATION, Norman Conan, Max Conan; CLASS C JOURNEYMAN, GAS FITTING, WARM AIR HEATING, Ramon Landon, Warren Wyatt; CLASS C JOURNEYMAN, GAS FITTING, WARM AIR HEATING, Leon Wyatt; CLASS D JOURNEYMAN, WARM AIR HEATING, James Walker, Lowell Barnes; PHOTOGRAPHER, Jay Photography; MOTEL, Haven Motel; CAB DRIVER, Wade Wilkins Heileson; BARTENDER, Kermit Jacobs, Robert McShannock, Donna Vee Murray, Kery

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Secrist, Earl Don Garner. 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, 6; No, none; carried.

From the City Controller came this memo:

March 11, 1976

TO: Mayor S. Eddie Pedersen and City Council  
FROM: John D. Evans, Controller  
SUBJECT: HIGHLAND PARK INSURANCE SETTLEMENT

Transamerica Insurance Group insured one-half (1/2) of the City's loss occasioned by the fire at Highland Park on 10-19-75. That company has offered to pay 60% of that one-half loss or \$98,042.71 forthwith upon the execution by the City of documents reciting these facts.

The other \$63,735.00 will be paid upon the City's filing a supplemental claim showing that replacement has been accomplished. This claim must be filed within a reasonable time.

The policy excludes any coverage of property lost by the Angels and by the Lions Club.

It is my recommendation that Council approve this settlement and ratify the action taken March 10, 1976.

s/ John D. Evans  
Controller

It was explained that, in the interests of time, the Mayor had signed the approval of settlement forms on March 10<sup>th</sup> without formal Council approval. In answer to a question by Councilman Freeman, the City Attorney explained that the Angels Ball Club may have a claim for loss sustained during the fire, inasmuch as the lease was between the City and I. F. Baseball Club, rather than the Angels. It was moved by Councilman Karst, seconded by Freeman, that this action, as described, be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Karst recommended to the Council that proceeds received from this fire loss not be included in the budget as revenue but, instead, be placed in a special construction account similar to the proceeds of a bond issue. It was moved by Councilman Karst, seconded by Freeman, that this procedure be followed and the City Treasurer be authorized to create and establish a fund as described. Roll call as follows: Ayes, 6; No, none; carried.

Prepared by the City Controller and presented by the City Clerk was this legal notice, listing proposed revenues and expenditures for the budget year 1976 and calling for a public budget hearing to be scheduled for March 25, 1976:

**NOTICE OF PUBLIC HEARING ON BUDGET FOR FISCAL 1976  
BUDGET FOR FISCAL YEAR – CITY OF IDAHO FALLS, IDAHO**

Notice is hereby given that the City Council of the City of Idaho Falls, Idaho will hold a public hearing for consideration of the proposed annual budget and annual appropriation ordinance for the fiscal year 1976, pursuant to the

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provisions of Section 50-1002 I.C. and 50-1003 I.C., said hearing to be held at the Council Chambers in the City Hall of Idaho Falls, Idaho at 7:30 P.M. on Thursday, March 25, 1976. At said hearing, all interested persons may appear and show cause, if any they have, why said proposed budget should not be adopted or why the annual appropriation ordinance should not be passed and enacted in accordance therewith:

**PROPOSED EXPENDITURES**

The following is an estimate, set forth in said proposed budget, of the total proposed expenditures and accruing indebtedness of the City of Idaho Falls, Idaho for the fiscal year 1976. Said amounts are set forth by fund and/or departments as follows:

	<b><u>Proposed Gross Expenditures</u></b>	<b><u>Revenue Sharing Federal/State Grants</u></b>	<b><u>Proposed Net Expenditures</u></b>
GENERAL FUND			
General & Administrative	\$457,416	\$(1,550)	\$455,866
City Clerk	81,590	(1,000)	80,590
Finance	172,035	(22,910)	149,125
General Services	390,000	(86,520)	303,480
Police	1,528,458	(53,460)	1,474,998
Animal Regulations	58,135	(1,450)	56,685
Inspections, Planning, Zoning	121,121	(100)	121,021
Parks	1,186,677	(376,780)	809,897
Public Works	840,848	(108,305)	732,543
Fire	1,149,520	(12,725)	1,136,795
<b><u>Total General</u></b>	<b><u>5,985,800</u></b>	<b><u>(664,800)</u></b>	<b><u>5,321,000</u></b>
STREET FUND	981,059	(288,000)	693,059
AIRPORT FUND	264,300	(32,000)	232,300
RECREATION FUND	120,127	.00	120,217
REVENUE SHARING FD	148,000	(148,000)	-
			0-
COMMUNITY DEVEL. FUND	825,000	(825,000)	-0-
<b><u>Total Special Revenue Funds</u></b>	<b><u>2,338,576</u></b>	<b><u>(1,293,000)</u></b>	<b><u>1,045,576</u></b>
<b><u>Sub-Total /Operating Funds</u></b>	<b><u>8,324,376</u></b>	<b><u>(1,957,800)</u></b>	<b><u>6,366,576</u></b>
WATER & SEWER FUND	2,380,000	-0-	2,380,000
ELECTRIC LIGHT FUND	4,064,818	-0-	4,064,818
<b><u>Total Enterprise Funds</u></b>	<b><u>6,444,818</u></b>	<b><u>-0-</u></b>	<b><u>6,444,818</u></b>
OTHER FUNDS			
Library Fund	253,114	(9,200)	243,914
Eastern Id. Regional Library	87,000	(85,000)	2,000
Mun. Fire Improve Bond Redemption & Interest Fund	40,100	-0-	40,100
Mun. Capital Improve Fund	127,500	-0-	127,500
Mun. Airport Bond Fund	54,700	-0-	54,700
Mun. Library Bond Fund	166,000	-0-	166,000

<b><u>Total Other Funds</u></b>	<b><u>728,414</u></b>	<b><u>(94,200)</u></b>	<b><u>634,214</u></b>
<b><u>TOTAL PROPOSED EXPENDITURES</u></b>	<b><u>\$15,497,608</u></b>	<b><u>(2,052,000)</u></b>	<b><u>\$13,445,608</u></b>

The estimated revenue of the City of Idaho Falls, Idaho for the fiscal year 1976 based upon the receipts of the previous twelve (12) months including receipts for the Water and Sewer System and Hydroelectric Plants, is as follows, to-wit:

REVENUE FROM TAX LEVY

General Fund Levy	\$ 2,014,400
Street Fund, Special Levy	27,100
Airport Fund, Special Levy	42,700
Recreation Fund, Special Levy	73,000
Library Fund, Special Levy	203,000
Capital Improvement Fund	114,000
Municipal Fire Improvement Bond Redemption and Interest Fund, Special Levy	20,000
Municipal Library Bond Fund, Special Levy	154,000

**Total Tax Levy** **\$ 2,648,700**

Franchises	\$ 137,600
License and Permits	109,500
Interest and Rentals	142,900
Charges for Current Services	926,450
Sale of Electrical Energy	5,077,000
Revenue from Other Agencies	1,584,400
* Grants	1,905,000
Other Miscellaneous Revenue	129,300
Water and Sewer System	2,353,000
Library Collections	12,100

Contributions and Interest 45,000

**Total Revenues** **\$15,070,950**

Unappropriated Surplus - * Grants	\$ 147,000
Unappropriated Surplus	320,659
Less Revenue Reserved	(41,001)

**Total Revenues and Surplus for Appropriations** **\$15,497,608**

Less: Grants Listed Above\* (2,052,000)

**Net Revenue and Surplus** **\$13,445,608**

I, Roy C. Barnes, City Clerk of the City of Idaho Falls, Idaho, do hereby certify that the above is a true and correct statement of the proposed expenditures by fund/or department for 1976 and of the entire estimated revenue of the City of Idaho Falls for 1976 based upon the previous fiscal year; all of which have been tentatively approved by the City Council and entered at length in the Journal of Proceedings.

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Dated this 11<sup>th</sup> day of March, 1976

s/ Roy C. Barnes  
City Clerk

Pub: March 14<sup>th</sup> and March 21<sup>st</sup>, 1976

It was moved by Councilman Karst, seconded by Freeman, that the City Clerk be authorized to publish this notice of public hearing, as required by law. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a five year extension rider to a Union Pacific lease agreement, L & T No. 16624, said agreement permitting the City to locate a sanitary sewer lift station at West 16<sup>th</sup> on railroad right of way, serving that general area. It was moved by Councilman Karst, seconded by Freeman, that this agreement be extended for a five year period and the Mayor and City Clerk be authorized to sign the extension rider. Roll call as follows: Ayes, 6; No, none; carried.

Various City redemption tax deeds were presented, accompanied in each instance by an appropriate resolution, to-wit:

**R E S O L U T I O N (Resolution No. 1976-10)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer, dated the 21<sup>st</sup> day of May, 1970, recorded as Instrument No. 407996, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 27, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville, Lots 20 and 30 of Block 9 per the recorded plat thereof.

WHEREAS, Robert R. Jonak 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 Robert R. Jonak a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 11<sup>th</sup> day of March, 1976.

APPROVED BY THE MAYOR this 11<sup>th</sup> day of March, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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**RESOLUTION (Resolution No. 1976-11)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 12<sup>th</sup> day of May, 1971, recorded as Instrument No. 417739, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 32, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville, Lots 31 and 32 of block 31 per the recorded plat thereof.

WHEREAS, Claude and Ruby Stoneberg 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 Claude and Ruby Stoneberg a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 11<sup>th</sup> day of March, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

**RESOLUTION (Resolution No. 1976-12)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 12<sup>th</sup> day of April, 1972, recorded as Instrument No. 429749, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 36, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville, Lots 6, 7, & S ½ of Lot 8, of Block 48, per the recorded plat thereof.

WHEREAS, Jay Nield 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 assessment to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW THEREFORE, BE IT RESOLVED:

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That the Mayor and City Clerk be, and they are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said Jay Nield a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 11<sup>th</sup> day of March, 1976.

APPROVED BY THE MAYOR this 11<sup>th</sup> day of March, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

**R E S O L U T I O N (Resolution No. 1976-13)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 27<sup>th</sup> day of March, 1973, recorded as Instrument No. 445224, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 36, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville, Lots 15 and 17 of Block 48, per the attached plat thereof.

WHEREAS, Charles R. Buchanan 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 Charles R. Buchanan a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 11<sup>th</sup> day of March, 1976.

APPROVED BY THE MAYOR this 11<sup>th</sup> day of March, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

**R E S O L U T I O N (Resolution No. 1976-14)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 12<sup>th</sup> day of May, 1971, recorded as Instrument No. 417745, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 27, to-wit:

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In the Highland Park Addition to the City of Idaho Falls, county of Bonneville, Lots 8 and 9 of Block 33 per the recorded plat thereof.

WHEREAS, Charles R. Buchanan 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 assessment 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 payment of said sum of money by said purchaser to make, execute and deliver to the said Charles R. Buchanan a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE MAYOR this 11h day of March, 1976.

APPROVED BY THE MAYOR this 11<sup>th</sup> day of March, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

**R E S O L U T I O N (Resolution No. 1976-15)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 21<sup>st</sup> day of May, 1970, recorded as Instrument No. 408006 of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 36, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville, Lots 8 and 9 of Block 33 per the recorded plat thereof.

WHEREAS, Charles R. Buchanan 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 of 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 Charles R. Buchanan a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 11<sup>th</sup> day of March, 1976.

APPROVED BY THE MAYOR this 11<sup>th</sup> day of March, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

**MARCH 11, 1976**

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**R E S O L U T I O N (Resolution No. 1976-16)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and be deed of the City Treasurer dated this 21<sup>st</sup> day of May, 1970, recorded as Instrument No. 408010, records of Bonneville County, Idaho acquire title to and possession of the following described real property within Local Improvement District No. 35, to-wit:

In the South Bel-Aire #1 Addition to the City of Idaho Falls, County of Bonneville, Lot 22 of Block 7 per the recorded plat thereof.

WHEREAS, John Moon 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 John Moon a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 11<sup>th</sup> day of March, 1976.

APPROVED BY THE MAYOR this 11<sup>th</sup> day of March, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

It was moved by Councilman Karst, seconded by Freeman, that the Mayor and City Clerk be authorized to sign the resolutions and the deeds. Roll call as follows: Ayes, 6; No, none; carried.

The General Services Director presented this memo:

March 11, 1976

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: SANITATION CONTAINER BIDS

The Public Works and General Services Divisions respectfully request permission to advertise for bids for the purchase of sanitation containers.

s/ Chad Stanger

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

**MARCH 11, 1976**

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

March 11, 1976

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: HIGHLAND BALL PARK BIDS

The General Services Division respectfully requests permission to advertise for bids for the reconstruction of the Highland Ball Park Stadium destroyed by fire.

s/ Chad Stanger

Councilman Freeman noted that this request was being made now, in the interests of time, even though final construction plans are not completed and that said plans would be reviewed before the entire Council as soon as possible. It was moved by Councilman Hovey, seconded by Freeman, that authorization be granted to advertise for bids on the construction project as requested. Roll call as follows: Ayes, 6; No, none; carried.

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

March 11, 1976

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: RECOMMENDATION - BID #IF-76-7

It is the recommendation of the Police and General Services Division that the City Council accept the low bid of Ellsworth Brothers Dodge to furnish two (2) sedans on a one (1) year lease basis at \$245.00 each per month. Full maintenance to be provided by Ellsworth Brothers.

s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that Ellsworth Brothers be awarded the low bid on the leased sedans as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the General Services Director, came this memo:

March 1, 1976

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: SALE OF SURPLUS HANGAR

The Airport and General Service Divisions respectfully request permission to advertise for the sale and subsequent removal of a hangar from the Airport property.

s/ Chad Stanger

**MARCH 11, 1976**

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Councilman Hovey explained that the hangar in question had outlived its usefulness and would be sold for salvage and that the space made available would be used to construct another modern hangar. It was moved by Councilman Hovey, seconded by Freeman, that the General Services Director be authorized to proceed as recommended. Roll call as follows: Ayes, 6; No, none; carried.

From the City Treasurer came this memo:

March 2, 1976

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: PERMISSION TO PAY TAXES

Request permission to pay approximately \$39.35 taxes on Lot 1, Block 8, Falls Valley #4. This piece of property is adjacent to the City pump out in Falls Valley. The City has a tax deed on the property and can quiet title on it with others this Spring. This had been discussed with the City Attorney. I am also holding an outstanding assessment on this property. I would like permission to pay this \$135.17 or in some way write it from the books. This will clean up L.I.D. #28.

s/ Lorna Coughlin

It was moved by Councilman Karst, seconded by Freeman, that the taxes and the outstanding assessment, as indicated, be paid from the Water and Sewer Fund on the property as described. Roll call as follows: Ayes, 6; No, none; carried.

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

March 8, 1976

Lorna Coughlin, Treasurer  
City of Idaho Falls  
P.O. Box 220  
Idaho Falls, Idaho

Dear Mrs. Coughlin:

Some months ago I purchased Lots 7-10, Block 24, and Lots 7 & 8, Block 31, Highland Park Addition, at the County tax deed sale. At the time of purchase it was my understanding that the lots were clear of encumbrances. However, I now discover that there are special assessments by the City of Idaho Falls which are still owing, in the amounts of \$426.78 and \$941.21. These costs together with the purchase price make the total value of these properties very marginal.

This letter is a request for your consideration in re-evaluating these assessments. A waiver of the interest on the principal owing on these two properties would bring the valuation more in line.

Your attention to this matter will be appreciated.

Sincerely,  
s/ Arland Rasmussen  
Arland Rasmussen and  
Associates

**MARCH 11, 1976**

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The foregoing letter was accompanied by this memo from the City Treasurer:

March 9, 1976

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: DELINQUENT ASSESSMENTS

Just received the attached letter from D. A. Rasmussen. He has two pieces of property which he purchased from the County subject to City liens. One is L.I.D. #27 which closed out in 1972. The amount needed to pay this at this time, with the delinquent interest of \$174.42 is \$426.78. This piece has four 25 foot lots.

The other piece in L.I.D. #32 which closed out in 1974 needs \$941.21 to pay at this time, \$356.72 of this amount in delinquent interest. This piece has only two 25 foot lots. He is asking that the delinquent interest be waived. What is your pleasure?

s/ Lorna Coughlin

It was explained by the City Attorney that, under the new law, the City lien is retained when property is sold by the County to effect a tax deed sale. It was moved by Councilman Karst, seconded by Freeman, that the request by Mr. Rasmussen for waiving of the delinquent interest on the property as described be respectfully denied. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was submitted:

March 10, 1976

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Director  
SUBJECT: AUTHORIZATION TO ADVERTISE

Plans and specifications have been completed for the landscaping of the Urban Renewal Parking Lot. We are requesting authorization to advertise for competitive bids.

s/ Donald F. Lloyd

Councilman Karst reminded the Council that this project was originally included with the surfacing of the urban renewal parking lot but was deleted because of funding problems. It was moved by Councilman Karst, seconded by Campbell, that authorization be granted to advertise for bids on the project as described. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Public Works Director was reviewed, to-wit:

March 11, 1976

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Director  
SUBJECT: SCIENCE CENTER DRIVE 8" WATERMAIN

**MARCH 11, 1976**

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On March 9, 1976, four bids were received and opened for the above captioned project as follows:

1.	K & G Construction, Inc.	\$14,662.38
2.	H-K Contractors, Inc.	\$16,614.50
3.	R. V. Burggraf Company	\$16,837.50
4.	Goodwin Construction Company	\$27,610.50

These bids have been checked and we are requesting that a contract be awarded to the low bidder, K & G Construction, Inc. in the amount of \$14,662.38.

Respectfully submitted,  
s/ Don Lloyd

It was moved by Councilman Karst, seconded by Campbell, that the low bid of K & G Construction, Inc. be accepted for this water main project. Roll call as follows: Ayes, 6; No, none; carried.

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

March 11, 1976

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Director  
SUBJECT: SCIENCE CENTER DRIVE SANITARY SEWER

On March 9, 1976, four bids were received and opened for the above captioned project as follows:

1.	H-K Contractors, Inc.	\$29,681.00
2.	K & G Construction, Inc.	\$30,234.00
3.	R. V. Burggraf Company	\$40,134.00
4.	Goodwin Construction Co.	\$55,943.00

These bids have been checked and we are requesting that a contract be awarded to the low bidder, H-K Contractors, Inc. in the amount of \$29,681.00.

s/ Donald F. Lloyd

It was moved by Councilman Karst, seconded by Campbell, that the low bid of H-K Contractors, Inc. be accepted for this project as described. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Public Works Director, this memo was presented:

March 10, 1976

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Director  
SUBJECT: PROPOSED ANNEXATION OF LDS CHURCH PROPERTY

**MARCH 11, 1976**

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We are submitting herewith an aerial photograph showing an area at the intersection of Sunnyside and Holmes Avenue. An LDS church is to be constructed on this property and they have requested that it be annexed to the City. We are requesting guidance from the City Council.

Respectfully submitted,  
s/ Donald F. Lloyd

Councilman Karst explained that the triangular parcel on which construction of an LDS Church is proposed on the corner of Holmes and Sunnyside would only be contiguous to the City by annexation, at the same time, of a 165' strip from 25<sup>th</sup> Street south along Holmes Avenue. Karst registered an opinion to the effect that if this were approved for annexation, it would create another "stringtown" arrangement accompanied by similar problems which the City encountered when Fall Valley was annexed, including utilities and drainage. Karst drew attention to the fact that there would remain a 240 acre undeveloped area between this triangle and the Hartert Development. Karst said the City would be faced with many expensive problems and obligations in providing City services to this area. He said the City would not even benefit from building permit fees, as these have been paid to the County. Public Works Director Lloyd appeared briefly to say that a water line would not be needed at the present time, inasmuch as there is a serviceable well on the property. In answer to a question by Councilman Hovey as to why annexation was being requested, Lloyd answered by saying the developers, particularly, wanted City electric service. Karst, again referring to the stringtown arrangement, said he could picture and would predict additional requests for annexation south along Holmes or east along Sunnyside, thus adding to the City's obligation to provide City services.

Bishop Melvin Call from the real estate department of the D. V. Groberg Company, appeared before the Council. He reminded the Council of the advantage and financial savings to the City by proceeding with annexation now, rather than later. He said the City would eventually be annexing this property and, if done at a later date, the City would find it necessary to purchase the Church's electric account from Utah Power and Light at a premium, under the existing customer exchange policy. Asked about usage, Call said he would estimate that the Church's water and electric consumption, when completed, would be equivalent to that of a large single family dwelling. Councilman Freeman registered an opinion to the effect that, if there were no more electric usage than that, considering the expense that would be incurred in the event of immediate annexation, the City would probably be better off to purchase the account from Utah Power & Light at a later date. Call drew attention to the fact that the Hartert Development was constantly expanding and it would only be a matter of time before the triangle in question was contiguous by means of said development. Karst countered by saying that it had taken several years for the Hartert Development to expand over a 12 acre area and, at that rate, it would take a good many years to expand over a 240 acre area. In answer to a question by Councilman Wood, Karst explained that it would be difficult to create a drainage district for this triangular area under the existing law as much of the land that would be contributing drainage and thus, subject to assessment would be outside the City. Call proposed, in the event the Council was concerned about additional requests for annexation, that this triangular area be annexed only up to a 50' line from Sunnyside Road. Call also proposed that the people he represented might consider signing a waiver, whereby all City services except electric service would not be furnished. Karst said that, in his opinion, neither of these proposals offered a satisfactory or a practical solution and would not be in the interests of sound City planning. In the absence of further comment, it was moved by Councilman Karst, seconded by Freeman, that the City Council go on record as not favoring this proposed annexation as described. Roll call as follows: Ayes, 6; No, none; carried.

**MARCH 11, 1976**

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Noting from the agenda that an agreement was to be presented this night between the City and the County which would create and establish a Bonneville Parks and Recreation Commission, the Mayor asked the City Clerk to present and read aloud this memorandum of intent from the Chairman of the Bonneville County Commissioners:

March 11, 1976

TO: Mayor S. Eddie Pedersen and Members of the City Council  
FROM: Bonneville County Commissioners  
SUBJECT: BONNEVILLE COUNTY PARKS AND RECREATION COMMISSION

Previous reviews and studies by members of the City Council, the City staff, and the Board of County Commissioners has revealed that there are many areas of development and maintenance of Parks and Recreation areas in Bonneville County that could be better served, and planned through coordination of effort by both government entities.

In the interest of better serving Bonneville County residents, both rural and urban, the County has budgeted \$100,000 for maintenance and development of City parks and recreation areas in FY-76.

Recognizing that economics in development and maintenance as well as seeking Federal and State matching monies would be better served by a master plan, with priorities, recommended by a joint parks commission, the County would like to inform the City of Idaho Falls that Bonneville County would favorably consider joining with the City of Idaho Falls and other cities in Bonneville County to better meet these needs.

The Board, while not being specific would anticipate that the City Parks Department would form the nucleus of the organization with a representative in this department for county projects and liaison.

It would further be desired that the present park commission serving the City be enlarged to the number of twelve (12) persons equally balanced with urban and rural residents. This Board would be responsible to review requirements, develop long range plans and recommend priorities for funding.

Therefore, be it resolved that this letter will serve as a memorandum of intent for joint commitment of resources, manpower and funding to meet proposed goals.

s/ Leo R. Clawson  
Chairman – Bonneville  
County Commissioners

Councilman Freeman, speaking as Chairman of the Parks and Recreation Council Committee, said he agreed with the basic concept as outlined in the foregoing memorandum of intent but took exception to certain facets included therein, particularly the reference to the twelve members of the proposed commission being selected equally from urban and rural residents. Freeman said he didn't believe that was the intent; neither was it so outlined in the proposed agreement, terms of which had been agreed to by both City and County officials. Therefore, Freeman said he would like to take the liberty of responding to the foregoing memo of intent with this letter of agreement:

**MARCH 11, 1976**

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LETTER OF AGREEMENT

March 15, 1976

TO: Chairman, Leo R. Clawson and Members of the Board of  
Commissioners, Bonneville County  
FROM: The Mayor and City Council, Idaho Falls, Idaho  
SUBJECT: BONNEVILLE PARKS AND RECREATION COMMISSION

The letter of intent from the Bonneville County Commissioners, dated March 11, 1976, concerning the contemplated activities of Bonneville County and the City of Idaho Falls in the area of parks and recreation was read and studied by the City Council at its March 11, 1976, regular meeting. The Council approved the contents of the letter, except as modified by the language contained in the Bonneville Parks and Recreation Commission agreement approved for signing at the same meeting.

The Mayor and City Council therefore join in said letter of intent, except as above modified, with the intention of implementing the plans therein outlined. Copies of the letter from the Bonneville County Commissioners and the said Bonneville Parks and Recreation agreement are enclosed.

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S. Eddie Pedersen  
Mayor

It was moved by Councilman Freeman, seconded by Erickson, that this letter of agreement be endorsed and the Mayor be authorized to sign the City's approval. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Freeman then introduced the Bonneville Parks and Recreation Commission Agreement which would create and establish a Bonneville Parks and Recreation Commission. It was moved by Councilman Freeman, seconded by Erickson, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk was a service contract for a joint law enforcement facility and jail detention area, to be signed by the appropriate City and County Officials, spelling out the responsibilities and obligations of both contracting parties in the construction and financing of said joint facility. The Mayor and all Councilmen, working at length with the County Commissioners had studied its contents in depth and were well aware of its many terms and conditions. It was moved by Councilman Erickson, seconded by Karst, that the Mayor and City Council be authorized to sign the City's acceptance, subject to final approval by the City Attorney as to legal form. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Karst presented a final draft of an agreement between the City and CH2M Hill, Inc., whereby that engineering consulting firm would furnish engineering services to the City of Idaho Falls for a computer based supervisory control for the water system. Asked for comment, Public Works Director Lloyd explained that the existing control system is antiquated and in need of updating to include, among other features, pressure transmitters, conversion to use of telephone lines for telemetry and design on Phase 2 and that Phase 2 would provide for the installation of a computer and related facilities and additional telemetering systems to bring flow and pressure data at each well to central control. It was moved by Councilman Karst, seconded by Campbell, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

**MARCH 11, 1976**

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Councilman Karst introduced this statement of policy for the handling of plats:

March 11, 1976

COUNCIL POLICY

No subdivision plat shall be presented to the Idaho Falls City Council for approval and annexation unless said plat (and the required duplicate copies and hard-copy thereof) and the Annexation Agreement therefore have all been properly signed and have been presented to, and approved by, the City Engineer at least 48 hours prior to the day on which the City Council is to consider said subdivision plat. After the subdivision plat has been approved by the City Council and signed by the Mayor and City Clerk, the City Engineer shall record said subdivision plat with the County Recorder.

Karst said this is needed to clarify, for the benefit of the Engineering Department and the developer, that which is required of all affected parties. It was moved by Councilman Karst, seconded by Campbell, that this statement of policy be approved and accepted for procedural guidance on all future plats, including plats on areas in anticipation of annexation. Roll call as follows: Ayes, 6; No, none; carried.

Introduced by Councilman Erickson was a lease renewal in favor of Harding Teuscher for the operation of the 19<sup>th</sup> Hole restaurant at Pinecrest Golf Course. Erickson said this agreement was similar to the previous one except that it was drawn only for a one year period, also, providing for a change in the hours of operation. It was moved by Councilman Erickson, seconded by Freeman, that this agreement be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Campbell, that the meeting adjourn at 9:30 P.M., carried.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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