

**NOVEMBER 20, 1975**

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The City Council of the City of Idaho Falls met in regular meeting, Thursday, November 20, 1975, at 7:30 P.M. in the City Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen; Councilmen Mel Erickson, Ralph Wood, Gil Karst, Paul Hovey, Norris Gesas and Jim Freeman. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Don Lloyd, Public Works Director; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Lee Mundell, Personnel Director; Chad Stanger, General Services Director; Lorna Coughlin, City Treasurer; Ernie Craner, Parks & Recreation Director.

Minutes of the last regular meeting, held November 6<sup>th</sup> and a special meeting held November 12<sup>th</sup>, 1975, were read and approved.

The Mayor invited Don Lloyd, Public Works Director, to escort Mr. James Easley, Waste Water Treatment Plant foreman, to the Council table. The Mayor announced that Mr. Easley had recently been presented with the William D. Hatfield award at the annual meeting of the Pacific Northwest Pollution Control Association in recognition of Waste Water Treatment Plant Operators who had done an outstanding job performance, demonstrating distinguished professionals. It was learned that only one such award each year was presented for each 500 members in each section. The Mayor noted that qualifications for receiving the award were based on public relations between the operator and the public; recognition of the outstanding reports for better operation and management; recognition of business-like accounting of public funds; and finally, advancement of the art and knowledge of waste treatment to engineers and fellow operator. The Mayor commended Mr. Easley for this achievement. Mr. Easley received an ovation from all present in the Council Chambers.

Mr. Robert Fanning, local attorney, appeared before the Council and presented copies of this letter to the Mayor and all Councilmen:

Robert J. Fanning  
November 18, 1975

Mayor S. Eddie Pedersen and  
City Council of Idaho Falls  
P.O. Box 220  
Idaho Falls, Idaho

Gentlemen:

I have always been reluctant to appear before the Mayor and City Council on various problems that arise in the City of Idaho Falls. However, I feel that certain matters should be called directly to the attention of the Mayor and the Council so that they would be fully informed or at least be aware of some of the problems, as I see them, in regard to the Idaho Falls Police Department.

As you are well aware, I have been closely associated during the years of 1973 and 1974 with the Police Department as Prosecuting Attorney of Bonneville County. Both prior to that time and since that time I have been associated with them in a general way, as a defense attorney involving police matters.

I feel that it would be to the best interests of the citizens of Idaho Falls if the City Council and the Mayor would take a more active interest in the law enforcement in the City of Idaho Falls. I do not wish to discuss or debate the recent action taken concerning officers Ockerman and Aiken, but there was a few things as a result of that that I feel need the Council's immediate attention.

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In my opinion, over the past four or five years the police morale has dropped to the lowest ebb that I have ever known it during the time that I have lived in Idaho Falls and have practiced law in this City. I would like to call to the attention of the City Council that during their last election, on the police bulletin board, not one of the incumbent's named appeared as being endorsed by the City police. This should, in view of the election, tell the City administration that something is amiss in this regard. It is my opinion that the police of the City of Idaho Falls are ill equipped in order to properly perform their duties. The following is a list of items that I feel are necessary to bring the Police department up to standard:

1. We should have vehicles with screens separating the front seat and the back seat with the door handles and window handles taken off.
2. It is necessary that the City obtain a paddy wagon to be used in various instances.
3. The night patrol should be increased by at least six more men.
4. The Police department should be given better photographic equipment.
5. A complete inventory of Police department offensive and defensive equipment should be taken, to determine what equipment the department does have, and what is required.
6. It is obvious that the City needs a full time City Attorney to represent them in all matters, and it is my understanding that they are paying a considerable amount for City Attorney work, but only on a part-time basis. I feel that this should be looked into to determine whether or not it is feasible to continue on a part-time basis for this type of work.
7. One of the reasons that the morale is so low in the Police department is the lack of communication between the heads of the department, City Council, and the patrolmen.
8. I would suggest that the City police be equipped with "pocket secretaries" so that they could dictate their reports and then have them transcribed by secretaries so the reports would be more complete, accurate, and less time consuming in view of the fact that each officer has to type his own report.
9. I believe that the City should review promotions within the City police department and perhaps a more equitable way could be chosen in order to see that qualified officers receive promotions and pay raises at regular intervals.

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10. It has come to my attention that in the Ockerman-Aiken investigation, before the Civil Service Commission, the officers subpoenaed by the City were fully compensated. The officers subpoenaed by Ockerman and Aiken were not. Their pay was deducted and they were not paid for the time that was necessary to present themselves while under subpoena. To me this is rank discrimination and a firm policy should be set in regard to these matters.
11. I firmly believe that a form of procedure should be set down by the Civil Service Commission as to what procedure is to be followed. An outline should be made available to the Civil Service Commission as to their procedures in conducting hearings. The secretary to the Commission should be divorced from the activities of City affairs. An independent secretary and attorney for the commission should be retained to do the paper work for the Civil Service Commission, and to provide legal advice to it.
12. There should be available to the police officers a physical fitness program either at the armory or at the YMCA and particularly in the new facilities that are in the process of being built.
13. There should be a definite written understanding and agreement as to the operation of the new jail facilities that is to combine the City and County law enforcement officers. It should be completely outlined and in full detail as to what portion is under the control of the City and what portion is under the control of the County and what each duty and obligation is.

As a lawyer and as a citizen of Idaho Falls, I know that these police officers take great risks, and have, for the most part, done an outstanding job in performing their duties. But as I have said before, during the last few years it has become hardly more than a traffic citation unit that is not providing the coverage at night that we should have. It is my observation that the officers are discouraged, although they are capable and qualified persons.

During all the time that I have practiced law I think that, man for man, the police officers on the force at the present time are the highest caliber. It is unfortunate that due to a lack of incentive and good morale that they are not performing at their full capability. With the cooperation and support of the City Administration it is my belief that they could and would achieve their unmet potential.

If you gentlemen have any questions in regard to the comments or suggestions that I have made, I would be glad to go into each of these items further.

Very truly yours,  
s/ Bob  
Robert J. Fanning

Mr. Fanning supported said letter, verbally, by saying that this was motivated by his interest, as a citizen, in the local police force and law enforcement. He said he was concerned about the fact that the job of an officer carried with it a high risk factor and that every effort should

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be made to see that this be kept at a minimum but that he should be compensated accordingly including compensation when that officer was subjected to a subpoena in any type of court hearing including one conducted by the Civil Service Commission. In answer to a question by the City Attorney relative to item No. 6 of the above letter, Mr. Fanning said he meant a full time City Attorney for all legal matters, nor just those pertaining to police work. The Mayor assured Mr. Fanning that this letter, with its various suggestions for Police Department improvement, would be made a matter of record and studied by the appropriate City Officials. It was moved by Councilman Freeman, seconded by Karst, that this be referred to the Council's Police Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

Noting from the agenda that annexation proceedings were being proposed this night for the Rose Nielsen Addition, Division No. 7 and noting, further, that the developers, Dick Skidmore and Jack Jensen, were present in the Council Chambers, the Mayor asked that said proceedings be introduced at this time and that this explanatory memo from Building Administrator Gilchrist be presented and read aloud:

City of Idaho Falls  
November 20, 1975

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: ROSE NIELSEN ADDITION, DIVISION NO. 7 - FINAL PLAT,  
ANNEXATION AND INITIAL ZONING

Attached are copies of the final plat, the annexation agreement, and annexation ordinance for Rose Nielsen Addition, Division No. 7. The City Planning Commission recently considered this plat, recommended approval of the plat and annexation to the City. Regarding the initial zoning, the developer has requested R-3A zoning on the tier of lots fronting on Hoopes Avenue. The City Planning Commission, after much discussion, recommended by a one (1) vote margin, that this zoning not be granted and that the entire development be zoned R-1. It is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

First to be considered was the final plat. It was moved by Councilman Wood, seconded by Erickson, that this plat be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows; Ayes, 6; No, none; carried.

Next to be reviewed was the annexation agreement. It was moved by Councilman Wood, 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.

The annexation ordinance was then presented. Mr. Davis Benton, local engineer, appeared before the Council as spokesman for Messrs. Skidmore and Jensen. With reference to the tier of lots fronting Hoopes Avenue described as Lots 13 through 21, inclusive, Block 10 and Lot 10, Block 1, Mr. Benton urged that the Council consider some zoning other than R-1 on the grounds that Hoopes Avenue was destined to become a heavily traveled street, akin to that of an arterial and, therefore, not conducive to construction of R-1 zoned single family dwellings. He said that, even though the developers had originally requested R-3A, they had later conceded and agreed that R-2 would suffice as a buffer

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between said busy street and the R-1 zone to the west. Asked for comment, Rolfe Lines from the Building and Zoning Division reported that the Building Administrator had been approached by the developers on R-2 zoning for the lots in question and had registered no objection. Councilman Hovey said he had reservations about the logic of zoning these lots any lower than R-1. He said he wasn't convinced that Hoopes Avenue would ever qualify as an arterial or even a collector street. Councilman Karst said he also had reservations on the grounds that if these lots were zoned other than R-1, it might set a precedent for one or more other areas in this general vicinity, yet to be annexed. It was also learned from Lines that the Planning Commission hadn't been given the opportunity to even consider the R-2 alternate proposal. In answer to a question by Councilman Freeman, Lines said the Planning Commission's decision was not predicated on the concept that R-3A would constitute spot zoning; instead, they were of the opinion that Hoopes Avenue would not qualify as an arterial. Councilman Wood said he had learned that the Planning Commission would not be offended if the Council were to zone these lots R-2. Asked for comment, City Attorney Smith said that, once the Planning Commission had conducted their hearing this would be within the Council's prerogative. In answer to another question, Smith said he would strongly advise that, if it wasn't the intention of the Council to zone these lots this night, the area should not be annexed this night but, instead, be referred back to the Planning Commission for zoning re-consideration, particularly the alternate R-2 zone proposed by the developers. Roll call as follows: Ayes, 6; No, none; carried.

License applications for GROCERY STORE, Albertson's, First Street, Circle K, Broadway, Murphy's Market, Elm Street Jiffy Mart; RESTAURANT, Shakey's Pizza Parlour, Gay Nineties, Gas Lampe Pizza Shoppe, Russet Bar & Café, Sagebrush Lounge; CLASS D APPRENTICE, GAS FITTER, Bruce Morgan with Intermountain Gas Co., Daniel R. McComas with Intermountain Gas Company; DANCE HALL, Sagebrush Lounge; TAXI CAB DRIVER, Edward James Bargman; BARTENDER, Roberta Routh, Marybeth Hawkins, Mary Jo Hanke, Daniel Proctor, David Musgrave, Glenn Clements; BEER, (Canned and bottled, not to be consumed on the premises), Albertson's, First Street, Haven Motel, Murphy's Market, Skaggs Drug, Elm Street Jiffy Mart, Circle K, Broadway; BEER, (Canned and bottled to be consumed on the premises), Sagebrush; BEER, Canned, bottled, and draught to be consumed on the premises), Starlite Lounge, Gas Lampe Pizza Shoppe, Gay Nineties Pizza, Shakey's, Holidays Services for Red Fox Lounge, LeBarons Coffee Shop, Samoa Club, Russet Bar, were presented. It was moved by Councilman Freeman, 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 General Services Director came this memo:

City of Idaho Falls  
November 20, 1975

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: HIGHLAND BALL PARK FIRE CLEAN-UP

The General Services Division has received proposals for clean-up of fire debris at Highland Ball Park as follows:

H-K Contractors	\$3900.00
Burggraf Construction	8500.00
Gray Landscaping	1963.00

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The City Council was polled on November 19, 1975, concerning this matter, accepting the recommendation of the General Services Division to accept the proposal of Gray Landscaping for \$1963.00.

The General Services Division respectfully requests the ratification of this previous action. Thank you.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Freeman, that award of the Gray Landscaping proposal for the project as indicated be officially approved and ratified. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk was a lease agreement between the Community Redevelopment Commission and the City, whereby the Commission, for \$1.00 per month, would lease to the City certain lands south of Broadway between Broadway and the railroad tracks and between Capital Avenue and the river, excluding Eagle Rock Plaza, for parking purposes. The City Clerk noted that the Mayor and City Clerk had signed this agreement on November 12<sup>th</sup>, without formal Council approval. It was moved by Councilman Karst, seconded by Freeman, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented several City Redemption Tax Deeds, accompanied by these resolutions:

**R E S O L U T I O N (Resolution No. 1975-57)**

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. 417746, 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 21 and 22 of Block 10 per the recorded plat thereof.

WHEREAS, MARY MC CURRY 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 MARY MC CURRY a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 20<sup>th</sup> day of November, 1975.

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APPROVED BY THE MAYOR this 20<sup>th</sup> day of November, 1975.

s/ S. Eddie Pedersen  
Mayor

ATTEST: s/ Roy C. Barnes  
City Clerk

**R E S O L U T I O N (Resolution No. 1975-58)**

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 17<sup>th</sup> day of June, 1975, recorded as Instrument No. 480429, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 40, to-wit:

In the Dwights Addition to the City of Idaho Falls, County of Bonneville, Lots 13-23, Inclusive of Block 9, per the recorded plat thereof.

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

PASSED BY THE COUNCIL this 20<sup>th</sup> day of November, 1975.

APPROVED BY THE MAYOR this 20<sup>th</sup> day of November, 1975.

s/ S. Eddie Pedersen  
Mayor

ATTEST: s/ Roy C. Barnes  
City Clerk

**R E S O L U T I O N (Resolution No. 1975-59)**

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 17<sup>th</sup> day of June, 1975, recorded as Instrument No. 480437 records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 44, to-wit:

In the property in Section 17, Addition to the City of Idaho Falls, County of Bonneville, Lots \_\_\_\_\_ of Block \_\_\_\_\_ per the recorded plat thereof.

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

PASSED BY THE COUNCIL this 20<sup>th</sup> day of November, 1975.

APPROVED BY THE MAYOR this 20<sup>th</sup> day of November, 1975.

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.

From the General Services Director came this memo:

City of Idaho Falls  
November 19, 1975

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: PERMISSION TO ADVERTISE FOR BIDS

The General Services Division respectfully requests permission to advertise for bids for automotive fuel for the year 1976.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that authorization be granted to advertise for bids on automotive fuel for 1976. Roll call as follows: Ayes, 6; No, none; carried.

This memo was also forthcoming from the General Services Director:

City of Idaho Falls  
November 11, 1975

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

The General Services and Electrical Divisions respectfully request permission to advertise for bids for lift equipment to handle materials in the Electric Warehouse and yard.

Thank you,  
s/ Chad Stanger

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It was moved by Councilman Erickson, seconded by Hovey, that the General Services Director be authorized to advertise for bids on lift equipment for the Electrical Warehouse and Yard. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls  
November 20, 1975

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-75-27

It is the recommendation of the General Services and Electric Divisions that the City Council accept the low bid of Spokane Transformer Company for \$5,065.00 for a 750 KVA padmount transformer.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that the Spokane Transformer Company be awarded the bid on the transformer as described. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the General Services Director, this memo was presented:

City of Idaho Falls  
November 20, 1975

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

The General Services and Public Works Divisions have reviewed the proposal of Mr. Harold Collard and Associates to provide architectural services for the construction of the Highland Ball Park Stadium.

It is the recommendation of the General Services and Public Works Divisions that the Mayor and City Clerk be authorized to sign the contract as proposed by Collard.

Thank you,  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that this agreement be accepted and the Mayor and City Clerk be authorized to sign, subject to final review and approval by the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

From the Parks and Recreation Director Craner came this memo:

City of Idaho Falls  
November 18, 1975

TO: Mayor and City Council  
FROM: Ernest C. Craner  
SUBJECT: RUSSET NOISE PARK

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The Parks & Recreation Commission, at their regular monthly meeting November 12, 1975, discussed naming Noise Park. It is requested that Noise Park, six miles west of Idaho Falls, be officially named **Russet Noise Park**.

s/ Ernest Craner

Councilman Freeman indicated that, in his opinion, this was a good choice of title for this park, inasmuch as the Russet Lions Club had been extremely active and interested in its development. In answer to a question by Councilman Karst, Craner said the County had voiced their approval in the official naming of this park as indicated. It was moved by Councilman Freeman, seconded by Erickson, that this park be officially named as recommended by the Parks and Recreation Commission. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Parks and Recreation Director was submitted, to-wit:

City of Idaho Falls  
November 20, 1975

TO: Mayor and City Council  
FROM: Ernest C. Craner  
SUBJECT: O.R.M.V.

Request permission to apply for \$25,000 from Idaho State Parks & Recreation Department Off Road Motor Vehicle funds. The money is to be used for matching funds with B.O.R. money to further develop Russet Noise Park. Attached is a cooperative agreement, in this regard, requiring the Mayor's signature of approval.

s/ Ernest Craner

It was moved by Councilman Freeman, seconded by Erickson, that this request be approved and the Mayor be authorized to sign the cooperative agreement in this regard. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director, this memo was presented:

City of Idaho Falls  
November 20, 1975

TO: Mayor and City Council  
FROM: Don Lloyd  
SUBJECT: PARK DEVELOPMENT

Plans and specifications are nearly completed for the snowmobile and motorcycle track located in the Russet Noise Park. This development is part of a B.O.R. project and we are requesting authorization for this to be advertised by the City Clerk.

s/ Don

Councilman Freeman reminded the Council that all monies of a matching nature to be used for the development of Russet Noise Park would be forthcoming from the user groups, rather than the City. It was moved by Councilman Freeman, seconded by Erickson, that the City Clerk be authorized to advertise for bids on the project as described. Roll call as follows: Ayes, 6; No, none; carried.

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This memo from the Building Administrator was submitted:

City of Idaho Falls  
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MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: REQUEST TO ADVERTISE - AMENDMENTS TO ZONING  
ORDINANCE

Several housekeeping amendments to the City Zoning Ordinance have been recommended and/or are in the process of being prepared. I request the City Clerk to be authorized to advertise for a public hearing to consider these amendments and further request that the date of the public hearing be set for December 18, 1975.

s/ Rod Gilchrist

It was moved by Councilman Wood, seconded by Gesas, that a public hearing be scheduled for December 18<sup>th</sup> for the purpose as indicated and the City Clerk be authorized to publish legal notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

The Police Chief presented this memo through the City Clerk:

City of Idaho Falls  
November 19, 1975

TO: Honorable Mayor and City Council  
FROM: Pollock  
SUBJECT: REQUESTS FOR LIMITED TIME PARKING

It is herein recommended that you give consideration to the following two (2) requests for limited time parking.

1. Mountain Bell Telephone for two ten (10) minute parking spaces on the south side of "C" Street immediately east of Shoup Avenue.
2. Dr. Charles Brandstetter for three (3) each two (2) hour parking spaces on the north side of Lomax Street immediately west of Holmes Avenue.

Respectfully submitted,  
s/ R. D. Pollock

With reference to the first request, Police Chief Pollock appeared briefly to say that the present telephone company management is making every effort to cooperate with the City. He said they are launching upon a program to prevent their employees from parking their own vehicles on the street and moving them periodically to avoid the issuance of a parking ticket. Also, continued Pollock, there would be surveillance to see that company vehicles would not be parked in these spaces which would be reserved for customers. It was moved by Councilman Freeman, seconded by Karst, that this request be granted. Roll call as follows: Ayes, 6; No, none; carried.

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The second request was then considered. Speaking in defense of Dr. Brandstetter for a moment, Councilman Freeman noted that his professional building was erected before parking was prohibited on Holmes Avenue. The Police Chief explained that the Doctor is planning to eventually provide off street parking for his patients. Councilman Karst objected to this request on the grounds that it would be precedent setting and that, if allowed, other Holmes Avenue professional building tenants might be expected to request similar privileges. It was moved by Councilman Freeman, seconded by Karst, that this request be respectfully denied. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Electrical Engineer was submitted:

City of Idaho Falls  
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ATTN: Roy Barnes  
FROM: G. S. Harrison  
SUBJECT: TRANSFER OF POWER

This memo will serve as a request from Valley Trailer Court to transfer to City electrical service from Utah Power and Light Company service.

Although our customer exchange budget has been exceeded, Utah Power and Light Company will wait until January 1976 for payment if necessary.

Attached is the Utah Power & Light Company letter of acknowledgement and costs.

s/ G. S. Harrison

It was moved by Councilman Wood, seconded by Gesas, that this customer exchange be approved as recommended. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a contract from Williams, Ferguson & Company, covering the auditing of City records for 1975. It was moved by Councilman Karst, seconded by Freeman, that this contract 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 an ordinance that would provide for payment of the costs and expenses of L.I.D. #49, and also provide for the issuance of bonds. The City Attorney had purposely left blank a portion of the ordinance setting forth the average interest rate. It was moved by Councilman Karst, seconded by Freeman, that said blank be filled in and that the average interest rate be fixed not to exceed 7%. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Karst then introduced Ordinance No. 1437 entitled:

**ORDINANCE NO. 1437**

AN ORDINANCE PROVIDING FOR THE PAYMENT OF THE COSTS AND EXPENSES OF CREATING LOCAL IMPROVEMENT DISTRICT NO. 49 IN THE CITY OF IDAHO FALLS, IDAHO, AND OF MAKING LOCAL IMPROVEMENTS THEREIN, (EXCLUSIVE OF THE COST AND EXPENSES OF IMPROVEMENTS WITHIN STREET INTERSECTIONS) BY INSTALLMENTS PAYABLE IN FIFTEEN EQUAL ANNUAL PAYMENTS AS NEARLY AS MAY BE, AND AUTHORIZING THE

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ISSUANCE OF LOCAL IMPROVEMENT BONDS OF SAID DISTRICT IN THE NAME OF SAID MUNICIPALITY FOR SAID INSTALLMENTS, AND FIXING THE RATE OF INTEREST THEY SHALL BEAR AND MAKING THE SAME PAYABLE ANNUALLY.

and moved that the ordinance be adopted and passed by the Council on its first reading. Motion was seconded by Councilman Freeman and the same, being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Gesas, that the rules be suspended, and that the ordinance be placed on its second and third reading. Motion was seconded by Councilman Wood, and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Erickson, seconded by Councilman Hovey, that the ordinance pass its third reading, and that the same be adopted and the Clerk be instructed to publish the same as required by law, and the same being put to a vote, it was unanimously carried, the vote being as follows: Ayes, Councilmen Gesas, Erickson, Freeman, Hovey, Karst and Wood. Carried.

The Mayor asked the City Clerk to present and read aloud this letter:

November 11, 1975

Mayor S. Eddie Pedersen  
City of Idaho Falls  
308 C. Street  
Idaho Falls, Idaho

Dear Honorable Mayor Pedersen:

The Bonneville County Historical Society receives County support as provided by the Idaho Code 31-864, 865. The society is a non-profit, incorporation dedicated to the preservation of items of historical value. Considering that the City of Idaho Falls and Bonneville County do not have a public museum housing, displaying and storing items of historical worth, the society is requesting the establishment of a joint commission between the City of Idaho Falls and Bonneville County. This commission would study, make recommendations with established time-lines for the transfer of the Old Idaho Falls Public Library into a historical museum. Members of the historical society will be most willing to cooperate in this endeavor.

Please approach the City Council of Idaho Falls on this matter and make some determinant on the project. I will be most interested in hearing from you. I may be reached by telephone after 5 o'clock at 523-6133.

The historical society appreciates the support of the Mayor's office and the City Council, knowing that history is as important to you as it is to us.

Sincerely,  
s/ Doris Backstrom  
President of BCHS

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The Mayor commented to the effect that the future of the existing library must be studied and considered in depth to determine its best use for the entire community. It was moved by Councilman Erickson, seconded by Freeman, that this letter be referred to the General Services Council Committee for study and deliberations. Roll call as follows: Ayes, 6; No, none; carried.

Anticipating the introduction of an ordinance that would provide for tow-away zones and procedures, the City Attorney gave a brief dissertation as to why such an ordinance had become necessary. He said nothing really beneficial results from merely ticketing vehicles parked in restricted zones when the primary objective is to remove the vehicle. He sited, particularly, the recently created heliport on Riverside Drive adjacent to the Idaho Falls Hospital as one location making such an ordinance mandatory. Mr. Armel Cates, 1583 Kearney, appeared briefly to ask if this would apply to trailers. The City Attorney answered in the affirmative if a trailer was found in a tow-away zone as trailers were in the vehicular category. However, Mr. Smith explained that, if the question related to trailers or other vehicles parked for longer than 48 hours on a residential street, this ordinance wouldn't apply. Instead, he said this would be covered by an existing ordinance having to do with abandoned vehicles.

**ORDINANCE NO. 1438**

AN ORDINANCE REPEALING SECTIONS 10-9-11 AND 10-9-12, CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING FOR THE IMPOUNDMENT OF VEHICLES PARKED IN VIOLATION OF CERTAIN PROVISIONS OF SAID CITY CODE, AND PARTICULARLY SPECIFYING SUCH VIOLATIONS; FIXING IMPOUND AND TOW-AWAY FEES WHICH MUST BE PAID BY OWNERS OF ANY IMPOUNDED VEHICLE BEFORE SUCH VEHICLE MAY BE RELEASED; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Freeman, seconded by Karst, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration the question being "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

At the request of Councilman Karst, City Attorney Smith read portions of the ordinance having to do with abandoned vehicles. Councilman Erickson noted that trailers create even more of a hazard than passenger cars, particularly because of the sight hazard. It was moved by Councilman Freeman, seconded by Erickson, that the Police Committee study the entire Trailer Ordinance to determine if some remedial action might be in order. Roll call as follows: Ayes, 6; No, none; carried.

In answer to a question by Councilman Freeman, the City Attorney advised that the ordinance covering the parking of trailers or other vehicles out beyond the allowable residential setback would be found in another section of the code. He said he would report his findings on this matter at a later date.

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Councilman Freeman noted it had been determined that the Highland Ball Park fire was caused by an arsonist. He commended the Police and Fire Departments for their investigation in this regard.

Councilman Hovey again drew attention to the problem intersection at Skyline and Grandview where red flashing traffic lights have recently been installed. He said these are not proving to be a satisfactory solution as the Grandview traffic is still backing up and said traffic needs a break in order to enter Skyline. Councilman Freeman reported that right of way had very recently been obtained from Mr. Merrett Johns so that a light pole could be moved. He said there were also plans for eliminating certain shrubs on the south-east corner of the intersection which would improve the sight problem. Councilman Karst urged that in deference to the Traffic Safety Committee the flashing lights be given a chance to prove themselves before other action is taken. Councilman Erickson said that, in his opinion, the sight factor is only a partial solution. He said every Councilman should make it a point to view the problem at any given peak traffic period. It was moved by Councilman Freeman, seconded by Karst, that this be referred back to the Traffic Safety Committee for further study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

The Police Chief proposed, with general Council concurrence, that a traffic count by the Public Works Division be conducted.

There being no further business, it was moved by Councilman Freeman, seconded by Wood, that the meeting adjourn at 9:15 P.M., carried.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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