

AUGUST 7, 1975

The City Council of the City of Idaho Falls met in regular meeting, Thursday, August 7th, 1975, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen; Councilmen Paul Hovey, Norris Gesas, Jim Freeman, Ralph Wood. Absent: Councilmen Gil Karst and Mel Erickson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Chad Stanger, General Services Director; Steve Harrison, Electrical Engineer; Ernie Craner, Parks & Recreation Director; Ralph Hutchens, Acting Police Chief.

Minutes of the last recessed regular meeting, held July 22nd, and a special meeting, held August 5th, 1975, were read and approved.

Reference is made to page 164 in this book of minutes. At that time, Mrs. Shirley Rossi, 1616 Riviera Drive, appeared before the Council and made arrangements for re-appearing this night to openly discuss the need for teenage activity and entertainment. Mrs. Rossi now re-appeared for that purpose. She first expressed appreciation to the Mayor and City Council for their consideration and cooperation to date and said that in her opinion, it would appear that some progress has already been made. She agreed that youth are tomorrow's leaders. She said that today's adults could and would have reason to feel similarly about the youth.

The Mayor said he had received some very constructive material and ideas from the Mayor of Las Vegas and at least one Mayor in Florida. The Mayor reported that, on July 10th, the City Council had authorized him to create a Youth Advisory Board and that this he fully intended to do after schools reconvene. The Mayor had in his possession a suggested charter document and told Mrs. Rossi he would see that she received copies. The Mayor noted that such a Board, when created, would be a part of the Administration, similar to many other Committees, Boards and Commissions, members of which are appointed by the Mayor with confirmation by the Council. He said a Youth Advisory Board could become affiliated with a National Board and, thus, become integrated with a National Program for Youth.

Asked for comment, Councilman Freeman invited Mrs. Rossi to attend the Parks & Recreation Commission's weekly meetings held at noon at LeBarons. Freeman, said that, based on experience, open dancing with full amplification does pose a problem to nearby residents who have their right of privacy but that areas could probably be located where this problem would not exist.

Referring to the Youth Advisory Board, Mrs. Rossi urged that each school be invited to participate. She said a Youth Program should involve the entire community, even the senior citizens, rather than just the youth.

Reverend Charles Foltz of the Catholic Institute of Religion appeared briefly and said that among other responsibilities, he served as a youth counselor. He said he had some definite ideas about Youth Programs but would reserve and present them to the Parks and Recreation Commission. Reverend Foltz concluded his remarks by expressing appreciation to the Mayor and City Council and, also, to the Police Department who, in the past, had been very cooperative in working with the youth of this City.

On a different subject, the Mayor acknowledged several citizens in the Council Chambers concerned about canal fencing which was prompted particularly because of a recent child death by drowning in an open canal. The Mayor asked the City Clerk to present and read aloud this petition with 1133 signatures:

PETITION

TO: The Mayor of the City of Idaho Falls and
 The Idaho Falls City Council, and
 The Bonneville County Board of Commissioners

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WHEREAS, for the past several years, there have been numerous children drowned in unguarded and unprotected canals within the City of Idaho Falls and Bonneville County;

AND, WHEREAS, we the undersigned, being citizens and residents of Idaho Falls, Bonneville County, State of Idaho, and being concerned about these unnecessary and unwarranted deaths by drowning of small children in these open, unguarded canals, respectfully petition the Mayor of the City of Idaho Falls and the City Council of Idaho Falls and the Board of County Commissioners to take proper steps in guarding these canals that traverse Bonneville County, and particularly the City of Idaho Falls, in heavily populated areas by such means as constructing proper fences along these canals and open waterways so as to protect small children from these unnecessary drownings in these areas. That the undersigned, being taxpayers of the City of Idaho Falls and the County of Bonneville, feel that life is far more important than the expense and cost to construct these necessary safeguards.

WE FURTHER RESPECTFULLY REQUEST, that the above authorities construct proper walkways across these canals with safeguards, such as handrails, so that small children crossing over these walkways can not fall in and lose their lives, such as has happened in recent weeks.

Mr. Ed Patience, 3268 LeRoy Drive and Mr. Thomas Reed, 1079 Johnson, appeared before the Council. Mr. Patience said there had been much publicity, of late, pertaining to many citizens concerned about the dangers of open unprotected canals, and that was the purpose of their presence in the Council Chambers this night, representing the 1133 petition signers. Mr. Patience said he was aware of the reluctance on the part of the canal companies to fence their canals but he said that, within the City at least, this could and should be the responsibility of any and all governmental taxing agencies. He said that one of the basic and paramount functions of the City was to provide public safety and that, in many areas, the City has an enviable record in this regard. Therefore, in the opinion of the concerned citizens, a logical point from which to initiate such a project, should be with the City Administration. Mr. Patience said that, contrary to some opinions and news releases, it was not the intention to fence every canal within the City; just the larger, more dangerous ones passing through heavily populated residential areas. Mr. Patience proposed that the City Council consider an ordinance making it mandatory for all new developments to provide fencing as part of their development requirements where canals were a factor.

Utilizing a slide projector and screen, Mr. Reed revealed several slides, taken from recent photographs, depicting typical danger zones around canals, including unprotected catwalks with no hand rails. Interspersed with these were several photographs of certain beautification installations such as downtown trees, downtown beautification lighting, the Tautphaus Park fountain, the newly installed County Court House steps and the recently painted water tower. As these were shown, the question was asked by Mr. Reed as to how important and basic they were, from the standpoint of public need and expenditure, in comparison to the installation of a life-saving canal fence. Finally, a picture was shown of the recently constructed foot bridge to the Sportsman Park area, complete with handrail and protective siding. Mr. Reed said this is what was needed to replace the unguarded catwalks across the canals.

At the invitation of Councilman Freeman, City Attorney Smith reiterated, briefly, his comments and opinion as recently released to the news media. He said that canal fencing posed deep, grave, serious and many faceted problems including liability, acquisition of right-of-way and expense, even assuming that the canal companies would permit fencing.

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He compared the canals to the railroad as being a quasi-private profit-making enterprise. Therefore, Smith continued, the City would not be permitted to enter onto their privately-owned property which would include the canal banks, to install fencing or for any other purpose. He noted that the fencing of the railroads was located far back from the tracks and railroad right-of-way. Smith noted that canal fencing would add to, not take from, the liability factor, inasmuch as the governmental entity that installed the fence would then definitely be liable in the event of a drowning. Mr. Reed registered grave concern about the fact that, under existing conditions, no one seemed to claim responsibility, including the City, the County, or the canal companies. He said a canal company official, when contacted, claimed that fencing would interfere with canal maintenance. Mr. Reed said this problem could be alleviated by periodic installation of access gates. He said one of the reasons given for the necessity to dredge and otherwise clean the canals was the common abuse of debris being thrown into the canals. He said this would be corrected by fencing. Asked why these concerned citizens had not approached and petitioned the canal companies, Mr. Patience explained that their primary purpose was one of providing water, whereas it was, or should be, one of the City's primary responsibilities to provide safety and welfare for its citizens. Mr. Patience said that, inasmuch as no one wants to face this responsibility, the City was therefore, their obvious choice as a starting point. He said these concerned citizens, above all else, were looking for the City's support and cooperation in this undertaking. He said the City is the one governmental entity that could help carry the ball, so to speak. The Mayor assured Mr. Patience that they had the full support of the City Council on any reasonable and feasible approach. He said he would arrange a meeting with the canal company officials and that every possible solution would be explored. In the absence of further comment, it was moved by Councilman Freeman, seconded by Wood, that this matter be tabled and referred to the full Council and the City Attorney for an in-depth study. Roll call as follows: Ayes, 4; No, none; carried.

At the invitation of Councilman Freeman, the following Y.M.C.A. affiliated gentlemen appeared before the Council: Robert Tripp, President of the Board; Tom Jones, Executive Director; Rudy Peterson, Fund Raising Chairman. Acting as spokesman, Mr. Tripp revealed two Y.M.C.A. building expansion proposals. The one that had Board preference would provide an 83' X 42' competition covered swimming pool and a gymnasium. He said the expansion would be "L" shaped and extend to the east and to the north of the existing structure. He said it would encroach to the north about 15 feet into the City-owned parking area, but would not affect the existing parking lot. He said the Board was optimistic in the prospects for raising \$900,000.00 for this improvement. In answer to a question by Councilman Gesas, Freeman explained that, because of size and age, it would not be feasible to consider covering the existing pool. Mr. Tripp continued by saying that, with such a competition-sized swimming facility, a full program could be arranged, affecting and benefiting all classes and ages of local citizens. He said the pool would be used primarily for teaching and competition, rather than open swimming.

Freeman noted that the "L" shaped complex met with the approval of the Parks and Recreation Commission. In answer to a question by Councilman Hovey, Mr. Tripp said that other locations had been thoroughly studied. He said that because of this centralized location and because it would be adjacent to the existing Y.M.C.A. facility, plus the fact that no ground acquisition would be necessary, this location was selected in preference to all other locations suggested and considered. Particularly because of parking needs for a facility of this size and nature, Hovey suggested that, before final acceptance, this be referred to the Building and Planning Division for their study and approval. Mr. Tripp said this had been taken into consideration and in the opinion of the Board, parking facilities would be ample. Freeman said Building Administrator Gilchrist had been approached on these expansion plans and had, informally, approved them. However, Freeman said that further deliberation

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by that department would be required and a motion for acceptance should be made subject to final approval by said department. It was moved by Councilman Freeman, seconded by Gesas, that the City Council go on record as accepting the "L" shaped Y.M.C.A. expansion plan with the understanding that there be no further encroachment than the 15 feet as heretofore mentioned and, further, that this action be subject to final approval by the Building and Zoning Division, particularly on the parking issue as well as any other building problems that might arise. Roll call as follows: Ayes, 4; No, none; carried.

Bills for the month of July, 1975, 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 EXPENDITURES</u>
General Fund	\$196,961.58	\$264,129.78	\$461,091.36
Street Fund	31,269.69	15,633.19	46,902.58
Airport Fund	3,531.13	5,617.39	9,148.52
Water & Sewer Fund	148,382.78	30,718.37	179,101.15
Electric Light Fund	199,981.16	43,776.15	243,757.76
Recreation	3,983.72	7,026.40	11,010.12
Municipal Cap	9,900.00	.00	9,900.00
Revenue Sharing	163,560.78	.00	163,560.78
Commercial Development	194.37	553.60	747.97
TOTAL FUNDS	\$757,765.36	\$367,454.88	\$1,125,220.24

It was moved by Councilman Freeman, seconded by Hovey, 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, 4; No, none; carried.

Because it was of fiscal significance, Councilman Freeman presented this report relative to Library construction expenditures and asked that it be made a matter of record:

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

Date	Company	Detail	Expenditures to Date
1/14/75	I.F. Redevelopment Comm. - Land	500.00	
3/14/75	Post Register - Bond Advertisement	147.40	
4/14/75	Post Register - Library Gen. Obligation Bond	152.46	
4/16/75	I.F. Redevelopment Comm. - Land	256,976.30	
4/16/75	Hoyt Galvin A. Associates - Consulting Fee	1,598.12	
	Year to Date - April 30, 1975		259,374.28
May		-0-	
June		-0-	
July			259,374.28

Noting from the reading of the bills a significant expenditure for a paint striper, Councilman Freeman then issued a plea, with general Council concurrence, that all school crossings be appropriately striped before schools convene for the falls school season.

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Reports from Division and Department Heads were presented for the month of July, 1975, and there being no questions, nor objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT (Transfer Only), from Dorothy Ingelstrom to Peter W. Schuelke for Pete's Place; ELECTRICAL CONTRACTOR, Joseph Revoir; JOURNEYMAN ELECTRICIAN, Benny Earl Nelson; JOURNEYMAN PLUMBER, Joe Meyer; CLASS C CONTRACTOR, GAS FITTING, WARM AIR, Deweiler Bros., Inc.; CLASS D CONTRACTOR, WARM AIR, HEATING, Rosslyn Bidstrup; CLASS D JOURNEYMAN, WARM AIR, Stan Hill, Jack Santtee, Jack Osborne; TAXI CAB DRIVERS, Rita Woods, Gary Allen Elverend, Patrick Andrew Lamothe, Kipp D. Sherry all with Morningstar Cab Co. and Blaine Marler with Yellow Cab Company; BARTENDER, Holly McQuitty, Viola Hodson, Connie Knowles, Bonnie Telford, Boyd R. Roberts, Newel Huntsman, Fred Wilkerson, Donald C. Roberts, Frank Houghton, Jill Brandstetter, were presented. It was moved by Councilman Freeman, seconded by Wood, that these licenses be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 4; No, none; carried.

These damage claims were presented by the City Clerk:

TO: Roy C. Barnes
City Clerk
City Building
Idaho Falls, Idaho

You are hereby notified pursuant to the provisions of Idaho Code, Section 6-901 through 6-928 and Section 50-219, that the below signed, Rueben Wilson, has a claim against the City of Idaho Falls, as more particularly set forth below.

The conduct and circumstances which brought about the damage are as follows: At approximately 2:00 o'clock a.m. Friday, July 18, 1975, claimant was involved in an automobile accident with his car rolling into a canal near Anderson Street in Idaho Falls. Claimant and his passenger crawled out of the car and began walking to a hospital so that medical aid could be given to the friend. When they reached a grocery store on "G" Street, claimant called the police to report the accident. He was informed by the police that the accident had already been reported and that the car had been removed from the canal and impounded in the City Impound Facility.

At approximately 10:00 o'clock A.M. Saturday, July 19, 1975, claimant went to the police station to request his automobile be released to him. He tendered to the police the necessary fees for the impounding but was informed by the police officers in charge that they would not release the vehicle to him. Upon being so informed, claimant mentioned to the police officers concern over items of personal property in the vehicle, especially the tape deck, as well as certain components in the new engine in the car, said components being easily removable. Claimant requested that he be allowed to remove these items from the automobile so that they could be put into safe keeping. This request was also denied. Claimant then asked if he could drain the water out of the tape deck and lock it in the trunk of the car for safe keeping. Claimant realized that because of the position of the car in the water, that the tape deck would probably still have water in it. This request was also denied. Claimant throughout this conversation emphasized this concern over these items and the

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risk that they might be stolen from the vehicle while impounded but despite his readiness to make payment of all impound fees or pursue the other alternatives suggested, the police officer refused to cooperate in any manner. As claimant had feared, when he went back to get the car Monday morning, the car had been stripped with the following items and the value set forth below, having been removed therefrom:

1 Hurst Handle - 1534672	\$ 11.52
1 Monti Tach - 750	\$ 77.73
1 Call Custom Air Cleaner - 1192	\$ 19.20
1 Set of 8 Rocker Cover Wing Bolts 3" Chrome - 6107	\$ 9.20
1 Pair Edle Brock Rocker Covers	\$ 41.70
1 Sanyo Quad Tape Deck	\$179.73
1 Pair Levi Pants	\$ 13.00
1 Pair Work Boots	\$ 30.00
1 Shirt	\$ 10.00
1 Set Spark Plug Wires	\$ 50.20
1 Quad Tape	<u>\$ 8.00</u>
	\$450.28

The names of all persons involved to the best of claimant's knowledge are the officers on duty at the time he made his claim on Saturday morning, July 19th. Claimant has been informed that the officers in question are: Bill Burgess, Ronald Nichols, and Bob Harrison. Claimant believes Bob Harrison as the Lieutenant of the shift on duty was the individual with the final authority and who made the ultimate decision denying his access to the vehicle.

The amount of damages as more particularly set forth above total \$450.28.

PRESENTMENT OF CLAIM

The actual residence of the claimant at the time of presenting and filing this claim and for a period of at least six months immediately prior thereto is, and has been, Route 2, Box 208, Idaho Falls, Idaho 83401

WHEREFORE, your claimant demands that the City of Idaho Falls immediately reimburse him for his total damages as set forth above in the amount of \$450.28. If any additional information is required, it can be obtained from the claimant or his attorney, Robert E. Farnam of Holden, Holden, Kidwell, Hahn, and Crapo, P. O. Box 129, Idaho Falls, Idaho.

Dated this 30th day of July, 1975.

s/ Reuben Wilson

August 1, 1975

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TO: The Mayor and City Council

About five months ago in March, I was arrested for a first degree kidnapping, lewd and lascivious conduct charge. After I was arrested and so on my car was taken to the City Impound which I knew nothing about till about 1 week later. This was ordered by the Prosecuting Attorney, Mr. Royce Lee. (I believe.) Yesterday, 7-30-75 I took \$10.00 and went to the Idaho Falls Police Station and they went to the Impound with me to get positive I. D. of my car and that I was the legal owner. While there I noticed that all my papers had been gone through and that they were on the floor. Later, I noticed that my battery was missing and that my hood was up a little. After I began looking around my hub caps to my tires were all missing too!

My battery cost (Sears Die-Hard) from Sears was \$48.95. It was a new battery. When I checked on the price of hub caps at Stoddard Mead Ford they ranged from \$8.00 on up to \$50.00 apiece. I had nice hub caps on my car.

Therefore I would like to sue the City for the cost of my missing items and would like these replaced as soon as possible. I feel that the officers who impounded by Galaxie 500, were very careless in not locking my doors.

s/ Bruce Van Orden
315 12th Street
Idaho Falls, Idaho

July 2, 1975

Chief of Police
Robert Pollock
City Hall
Idaho Falls, Idaho

Dear Mr. Pollock:

On May 2, 1975 Bonneville County Deputies, acting on behalf of the City of Idaho Falls, arrested a Mr. James Zammeillo at our motel. Because of the manner of the arrest there were many damages to our property.

This letter is to notify you of those damages and that we have a claim against the City of Idaho Falls. Enclosed you will find an itemized list of those damages. Please see they are forwarded to your insurance carrier.

I will be expecting a reply within ten (10) days.

Sincerely,
s/ Alma Bethards
El Rancho Motel

Damages to Room #2

Window	\$ 6.16
Installation	15.00
Bed Spreads	28.25
Cleaning (walls and ceilings only)	60.12
Miscellaneous cleaning (floors, drapes, furniture)	24.75
Clean and Deodorize two beds	40.00
One Bed Frame	15.45
Carpet 23 yards at 4.00 per yard	94.86
Installation and pad 23 yards at 1.50 per yd.	34.50
Loss of income on room from May 3 to June 25	744.00
Loss of income on adjoining room for May 2, 3, 4, 1975	36.00
Money refunded to Curt Griggs and family because they were afraid to stay on	<u>35.00</u>
TOTAL	\$1,134.09

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE MAGISTRATES DIVISION "A"

C.H. Peterson, Plaintiff

VS.

THE CITY OF IDAHO FALLS, A MUNICIPAL CORPORATION, DEFENDANT

COMES NOW the plaintiff and for cause of action the defendant as follows:

I.

That plaintiff is a resident of Fremont County, Idaho residing at the City of St. Anthony.

II.

That the defendant, City of Idaho Falls, is a municipal corporation existing and operating within Bonneville County, State of Idaho.

III.

That plaintiff is the owner of real property located at 350 May Street in the City of Idaho Falls, more particularly described as follows:

Lots 4 and 5 Block 13 of Capital Hill Addition according to the recorded plat thereof.

IV.

That plaintiff was, until late fall or winter of 1972, the owner of a structure used as a sales office and dwelling unit located on the real property herein before described; that the fair market value of said structure, its fixtures and contents, was, as of August 1972, the approximate sum of \$1250.00.

V.

That on or about August 24, 1972, the City Council of Idaho Falls, did unanimously vote to declare said structure a public nuisance and did further order that said home be appraised.

VI.

That subsequent to the foregoing order of the City Council and during the fall and winter of 1972, the exact date of which is unknown to plaintiff, the City of Idaho Falls caused said structure and improvement located on said property to be raised, demolished, and destroyed.

VII.

That plaintiff first learned of the demolition of said structure in the late winter of 1972 and approximately the last part of November or the early part of December, 1972; That on or about the 27th day of February, 1973, plaintiff made Notice of Claim to the City of Idaho Falls for the payment of the damages sustained as a result of the demolition of said structure, a copy of which is attached hereto as Exhibit "A" and by this reference incorporated herein; that the City of Idaho Falls has made no payment and refused to acknowledge the validity of plaintiff's claim.

VIII.

That the action of the City of Idaho Falls, as herein before alleged, was wrongful, without authority and in derogation of the rights of plaintiff in the following particulars;

- (a) That plaintiff received no notice from the City of Idaho Falls that said premises were in any way alleged by the City of Idaho Falls to be unsafe or injurious to the health or morals, or indecent or offensive to the sense or an obstruction to the free use of property so as to interfere with the comfortable enjoyment of life or property.
- (b) That plaintiff received no notice of the City's intention to destroy said structure or demand of plaintiff to alter, repair, or remove said structure.
- (c) That the demolition of said facility was completed without proper authority or right and that no order for the demolition of said premises was made.
- (d) That plaintiff was denied the opportunity of hearing, protest or appeal.

IX.

That the foregoing conduct of the City, its agents or employees, constitute an unlawful taking without due process of law and that plaintiff has been damaged in the sum of \$1250.00.

X.

That the reason of the acts of defendant has been required to obtain the services of a law firm of Sharp, Anderson & Bush, to prosecute this claim and plaintiff is entitled to a reasonable fee for their services.

WHEREFORE, plaintiff prays for judgement against the defendant as follows:

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1. For judgement in the sum of \$1250.00
2. For interest thereon from February 22, 1972.
3. For costs of suit.
4. For the reasonable attorney's fee of plaintiff.
5. For such other and further relief as the Court may see just and equitable.

Dated this _____ day of July, 1975.

SHARP, ANDERSON & BUSH

BY: _____

Douglas R. Nelson
Attorney for plaintiff

It was explained that, in each instance, these had previously been forwarded to the City's Liability Insurance Carrier or the City Attorney without formal Council approval. It was moved by Councilman Freeman, seconded by Hovey, that these actions be duly ratified. Roll call as follows: Ayes, 4; No, none; carried.

From the Personnel Director, came this memo:

City of Idaho Falls
August 7, 1975

TO: Honorable Mayor and City Council
FROM: Personnel Division
SUBJECT: FORMAL RATIFICATION OF COUNCIL ACTION OF EMPLOYEE
HARDSHIP CASES

The Mayor and City Council on Tuesday, August 5, 1975, met to discuss certain employee hardship cases and concurrently instructed the various Division Directors to prepare Personnel Actions accordingly.

At this time you are requested to formally ratify this action.

Respectfully submitted,
s/ A. Lee Mundell
Personnel Director

It was moved by Councilman Freeman, seconded by Hovey, that this action be ratified as requested. Roll call as follows: Ayes, 4; No, none; carried.

By memos, the General Services Director asked that these actions, informally approved by the City Council on July 30th, be ratified:

Request to advertise for bids, jointly with School District No. 91, for coal.

Request to advertise for bids on a 750 KVA Transformer.

Request to advertise for bids on oiling the Airport Log Hangar.

Request to advertise for bids to repair the ornamental cap on top of the City Building

Parapet Wall.

Request to advertise for bids for the sale of certain surplus City Equipment.

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It was moved by Councilman Hovey, seconded by Gesas, that all these actions be duly ratified. Roll call as follows: Ayes, 4; No, none; carried.

The City Clerk presented City Redemption Tax Deeds in favor of John H. Dodds, John E. Maguire, and Mrs. Vardis Griggs, accompanied by these Resolutions:

R E S O L U T I O N (Resolution No. 1975-38)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by Deed of the City Treasurer dated the 15th day of November, 1973, recorded as No. 454955 records of Bonneville County, Idaho acquire to and possession of the following described real property, within Local Improvement District No. 40, to-wit:

In the Capitol Hill Addition to the City of Idaho Falls, County of Bonneville, Lots 17 and 18 of Block 29 per the recorded plat thereof.

WHEREAS, JOHN H. DODDS 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 DODDS a Deed to said property pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 7th day of August, 1975.

APPROVED BY THE MAYOR this 7th day of August, 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. 1975-39)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by Deed of the City Treasurer dated the 20th day of February, 1969, recorded as Instrument No. 394088 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 Pine Acres Addition to the City of Idaho Falls, County of Bonneville per the recorded plat thereof.

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WHEREAS, JOHN E. MAGUIRE 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 E. MAGUIRE a Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 7th day of August, 1975.

APPROVED BY THE MAYOR this 7th day of August, 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. 1975-40)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by Deed of the City Treasurer, dated the 17th day of June, 1975, recorded as No. 480431 records of Bonneville County, Idaho acquire title and possession of the following described real property, within Local Improvement District No. 35, to-wit:

In the South Bel-Aire Addition, Division No. 1 to the City of Idaho Falls, County of Bonneville, Lot 35 of Block 2 per the recorded plat thereof.

WHEREAS, MRS. VARDIS GRIGGS 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 MRS. VARDIS GRIGGS a Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 7th day of August, 1975.

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APPROVED BY THE MAYOR this 7th day of August, 1975

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

It was moved by Councilman Freeman, seconded by Wood, that the Mayor and City Clerk be authorized to sign these Resolutions and Deeds. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the City Engineer was presented:

City of Idaho Falls
August 7, 1975

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Joseph A. Laird, P. E.
SUBJECT: SKYLINE DRIVE AND SATURN AVENUE OVERLAY

Plans and specifications are being completed for the construction of the following overlay projects:

Project 4A-162 – Skyline Drive Overlay (Broadway to Grandview Drive)
Project 4A-163 – Saturn Avenue Overlay (Broadway to Grandview Drive)

We are requesting authorization for the City Clerk to advertise for competitive bids as soon as possible.

s/ Joseph A. Laird

It was moved by Councilman Gesas, seconded by Wood, that authorization be given for the City Clerk to advertise for bids on these projects as soon as possible. Roll call as follows: Ayes, 4; No, none; carried.

Another memo from the City Engineer was forthcoming as follows:

City of Idaho Falls
August 7, 1975

ATTN: Honorable Mayor and City Council
FROM: Joseph A. Laird
SUBJECT: IDAHO AVENUE, LINDSAY BLVD., FIRST STREET WATERLINES AND PARKING LOT BETWEEN PARK AVENUE & SHOUP AVENUE

Plans and specifications are being completed for the construction of the following waterline projects:

AUGUST 7, 1975

Project 12A-108 – 12” waterline of First Street (Holmes to Wabash)

Project 12A-37b – 8” waterline on Lindsay Boulevard (No. of U.S. 20 to No. off ramp)

Project 12A-102b – 8” waterline on Idaho Avenue (“J” Street to Elva Street)

Project 5A-30 - Parking lot between Park Avenue and Shoup Avenue, (South of Broadway)

We are requesting authorization for the City Clerk to advertise for competitive bids as soon as possible.

s/ Joseph A. Laird

It was move by Councilman Gesas, seconded by Wood, that authorization be granted for the advertising of bids on the various projects as listed, as soon as possible. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the General Services Director was presented and read aloud:

City of Idaho Falls
August 5, 1975

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-75-16

It is the recommendation of the General Services and Electric Division that the City Council reject the bids submitted on Bid #IF-75-16, for an electric truck cab and chassis. This recommendation is based upon the fact that two (2) of the vendors who regularly submit bids were unable to do so at this time because of manufacturing changes. It is also our recommendation that General Services be authorized to re-advertise for bids on this piece of equipment.

Thank you!
s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that all bids received on a truck cab and chassis for the Electrical Division be rejected for the reason as indicated and that authorization be granted to re-advertise for bids on this equipment. Roll call as follows: Ayes, 4; No, none; carried.

This ordinance, passed on its first reading at the last regular Council meeting, was again considered:

ORDINANCE NO.

AN ORDINANCE NAMING OR RENAMING CERTAIN STREETS AND PARTS OF STREETS WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING SAID STREETS: REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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There was general discussion on this ordinance, particularly at it would affect Anderson Street tenants and residents to Yellowstone Avenue. Councilman Gesas and Freeman jointly explained that the thinking of the Councilmen who instructed the City Attorney to draft the ordinance in this manner was that less confusion would be created by those attempting to find the Science Center if all of Anderson Street, rather than just the street passing through the park and science center area, were so named. However, Gesas proposed, with general Council concurrence, that, before this ordinance be passed on its third and final reading, all Anderson Street tenants and residents be notified in writing by the City Clerk so that their feelings on the matter, if any, might be heard. It was moved by Councilman Gesas, seconded by Freeman, that this ordinance be passed on its second reading with the understanding that notices be sent as indicated. Roll call as follows: Ayes, 4; No, none; carried.

The Mayor noted that Mr. Jack Gamble had entered the Council Chambers late and invited him to be heard at this time. The subject of Mr. Gamble's discussion was the Carriage House Square Addition which had been annexed to the City on March 29th, 1973. At that time, an annexation agreement had been signed by the developer although, to date, no development had taken place. Mr. Gamble explained that Rogers Brothers was desirous of developing the entire area and was willing to have said annexation agreement assigned over to them accordingly. Mr. Gamble continued by drawing attention to the northeast corner of the Carriage House Square Addition where the Church Farm Road intersects 17th Street. Because of a realignment of the Church Farm Road at that point there remains a small triangle which is still dedicated for street right-of-way and is still needed by the City, inasmuch as there remains in said triangle certain underground utilities. Mr. Gamble said this was satisfactory with the developer as long as they were to receive some concrete and definite written assurance that the triangle would never be used as a street. The City Attorney said he was aware of this situation and that he had discussed it with the Building Administrator who was of the opinion that the City would be agreeable to rendering a perpetual easement to the developer and a letter, signed by the Mayor, to the effect that the triangle would not be used for street purposes. In this manner, the developer could at least use the triangle for such purposes as lawn or landscaping. Inasmuch as none of the Councilmen had prior knowledge of this arrangement, it was moved by Councilman Wood, seconded by Freeman, that this be referred to the Building and Zoning Committee with the understanding to Mr. Gamble, that, in the interests of time and if no problems were encountered, issuance of a perpetual easement could soon be authorized and formally ratified at a later Council session. Roll call as follows: Ayes, 4; No, none; carried.

Councilman Freeman introduced a proposal whereby an ordinance would be drafted and considered, raising the salaries of all Councilmen from \$250 to \$350 per month, effective January 1st, 1976. Freeman noted that it had been 10 years since the salaries of Councilmen had been increased and that, in the interim period, their work load had more than doubled. He drew attention to the fact that salaries of Councilmen in other major Idaho cities were higher than Idaho Falls. He said that, with a municipal election scheduled for November of this year, this increase was desirable as a means of providing some incentive for capable citizens to become interested in filing. Asked for comment, the City Attorney explained that such action, if taken, need be accomplished by law, at least 60 days before election. He said this law was motivated, in part, on the theory that prospective Councilmen had a right to know what compensation would be received at the time they took office the following year. It was moved by Councilman Freeman, seconded by Hovey, that the City Attorney be authorized and directed to prepare an ordinance, incorporating the salary increase as indicated for Council consideration on August 21st, 1975. Roll call as follows: Ayes, 4; No, none; carried.

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Presented by the Public Works Division, through the City Clerk, was a proposal for a land exchange between the City and the Atomic Workers Credit union whereby, with no cash consideration, that agency would deed to the City about 890 square feet of land which would be of benefit in connection with the Lomax couplet and the City would deed to that agency about 395 square feet which would be of benefit to them in connection with their building plans. It was moved by Councilman Gesas, seconded by Freeman, that this exchange be approved and the Mayor and City Clerk be authorized to sign the deed in favor of the Atomic Workers Credit Union. Roll call as follows: Ayes, 4; No, none; carried.

There being no further business, it was moved by Councilman Gesas, seconded by Wood, that the meeting adjourn at 9:40 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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