JUNE 26, 1975

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, June 26, 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; John Evans, City Controller; Lorna Coughlin, City Treasurer; Steve Harrison, Electrical Engineer; Ernie Craner, Parks & Recreation Director; Lee Mundell, Personnel Director; Chad Stanger, General Services Director; Don Lloyd, Public Works Director.

Minutes of the last recessed regular meeting held June 12th, and a special meeting held June 16th, 1975, were read and approved.

The Mayor welcomed a summer government class from Skyline High School in the Council Chambers. He thanked them for their presence and their civic interest.

The Mayor then acknowledged Pat Hovis in the Council Chambers as the newly appointed news media representative from K.I.D. The Mayor welcomed Miss Hovis and wished her well in this assignment.

Mrs. Grace Garrett, 1550 West Broadway, appeared before the Council. She said that, particularly since construction of the new Idaho First National Branch immediately across the street from her residence, she has trouble getting out of her drive-way and, in fact, must look five different directions for on-coming traffic before entering West Broadway. Councilman Freeman reminded Mrs. Garrett that West Broadway was a State Highway and, therefore, any remedial signs or lights that might otherwise be considered would be subject to approval by that agency. It was moved by Councilman Freeman, seconded by Karst, that this matter be referred to the Traffic Safety Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Cliff Brady appeared before the Council as Chairman of the Board of the Eastern Idaho Special Services. Mr. Brady drew attention to the fact that the organization would soon be taking delivery of three min-busses and proposed that they be used to establish a bus system within the City, originally for the benefit of the handicapped and the elderly. Brady proposed, further, that a franchise or an appropriate ordinance be considered by the City Council that would permit and control such an operation. Brady said his organization wanted to demonstrate, in this manner, the need for a mass transit system and asked that the Mayor create and appoint members to said committee to make specific recommendations relative to such a system on such specifics as routes, bus stop locations, safety inspection, driver qualifications, etc. He proposed that at least one member of said committee be a County Commissioner. He said Government funds were available for such a system and mentioned several different governmental agencies from whence funds could be forthcoming including, perhaps, the local School District. To emphasize the importance and future need for a mass transit system, Brady presented and read aloud this news release, quoting retired Senator Len Jordan, as follows:

> Retired Senator Len Jordan has warned the Idaho Highway users conference to be prepared for an onslaught against the Highway Trust Fund.
>
> It's not very far down the road, Jordan said in a speech to the conference in Boise today.
>
> He told the conference that members are going to be up against increasing difficulties in protecting the sanctity because many persons are leery of trust funds – and because of pressures to use federal money in other areas.

> He says there's going to be pressure to crack the fund for mass transit systems. In his words – You better find a way to roll with it. Don't fight it – it's coming.
>
> Jordan discussed mass transit systems he's seen elsewhere in the world, and says such systems are becoming necessary in the United States.
>
> He says the nation cannot indulge ourselves in the luxury of a system that provides highways so everyone can drive to work in his own big car and provide parking for each car.
>
> He says the energy situation is getting downright serious. He says the nation needs a better energy system than it has had before.
>
> The conference awarded Jordan, it's "Motivator" award, recognizing his contributions to development of transportation systems in Idaho.

Brady said his organization would not expect an exclusive franchise and if some other operator were to show an interest in such an endeavor, his organization would cooperate. In answer to a question by the Mayor, Brady said the system would, at first, serve only the elderly and the handicapped, but would be interested, eventually, in serving any and all interested passengers. He said this would be one of the advantages of forming the Committee he was requesting so that the system could be established in the most expeditious manner with maximum benefit to all. In answer to a question by Councilman Gesas, Brady said he was not appearing this night nor otherwise representing the Chamber of Commerce. In answer to a question by Councilman Karst, Brady said it would be hoped and preferred that a regular route be established. Noting in Mr. Brady's previous comments the fact that Federal Funds would be involved and that the elderly and handicapped would probably ride without fee. Karst then asked the City Attorney if this would pose a problem, especially in the granting of a franchise if, in fact, this were done in this manner. City Attorney Smith said there would be a problem and that he was aware of other instances where such procedures were being tested in the courts. Smith then asked Brady if, in his opinion, the Special Services Agency he represented was empowered to operate a bus line. Brady said it is a broad based, open ended agency, as the name implies and their Articles of Incorporation would permit it.

The existing mini-bus was then discussed. Brady said that was purchased by the Senior Citizens and belonged to the Senior Citizens Center. He said some of the money was raised by donation. He said the Center has its own Board of Directors and makes its own decisions. He said there is a close affiliation between the Agency and the Center, but this is prompted, primarily, because they cater to the similar clientele. Brady was reminded that there was objection raised by the agency when it first suggested that the existing mini-bus be licensed. Brady responded by saying that it was the opinion of the Agency and the Center, at that time, that, if it were to become licensed as a taxi, taxi service would be expected of it and this was not the intention when it was acquired. He said that, even today, it is not used primarily for transporting passengers. Brady said much of the confusion and misunderstanding between the City and the Agency could be cleared up if one or more Councilmen would attend their Board of Directors' Meeting or even serve on the Board as

does one of the County Commissioners. Councilman Hovey again urged that the City Council be provided more information as a basis for a cooperative effort between the City and the Agency. To illustrate, Hovey said the Council should be advised as to the justification for the operation of one or three or more mini-buses as a bus system. He said more information is needed as to who the Agency serves, where they are located, why they are serving, the number that need serving, their financial status, etc. Brady said the bus system, if placed into operation, would be experimental and would serve as a base to demonstrate the need by action rather than by planning. He said without the demonstration effort, the need could not be proven, either from the standpoint of providing a service, or eventually, if the service were to be expanded, making a profit. He said the surveys taken in the past strongly suggest the need but only a demonstration can actually prove that need. He said it is generally known that there are 6000 senior citizens in the area, but it is not known how many would avail themselves of a bus service and it would be a matter of education, once the service were established, to induce its use. He said the creation of the Center posed the same problem and only after it was established did demonstration prove its need.

In answer to a question to Councilman Erickson, Brady said the existing mini-bus would continue to be owned and operated by the Center even when the three mini-buses are delivered and placed in operation. He said the ones on order are larger and capable of carrying more passengers.

The City Attorney asked Brady if, in the final analysis, he was asking the City Council to endorse a bus system financed by Federal Funds. Brady answered in the negative. Brady said, instead, he was only asking that an enabling Ordinance be passed that would spell out rules and regulations for the operation and control of the bus line and also, that a Committee be created by the Mayor to determine the long term requirements of said bus system for the overall efficiency and needs of the community.

Councilman Karst reminded Brady that, already, in existence, was a Council Committee over the Police Department. Karst asked if he would be willing to work with that Committee and was answered in the affirmative by Mr. Brady. Therefore, it was moved by Councilman Freeman, seconded by Karst, that this matter be referred to the Council's Police Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

License applications for FIREWORKS (SAFE AND SANE), David Price, Manager, Kings, 570 East 17th Street, Cliff Kirkendall for Bowl-Ero, Bruce Boland for Hamilton Drug Center, Russell Fogg for Fogg Drug, Ray Best for Ray's Minit Market, Andy H. Stavros for Midget Market, Lamont Howell for Monty's Food King, Fumio Nukaya for Katz Pharmacy, Ned E. Sweat for Plaza Lanes, Ned E. Sweat for Safeway Lot, Ned E. Sweat for stand at 2027 E. First Street; RESTAURANT, Dean Pettingill for Dean's Prairie Dog; ELECTRICAL CONTRACTOR, Rodney Dockstader for R & R Electric; JOURNEYMAN ELECTRICIAN, Kenneth Wilson, Bobbie K. Middleton, Joseph L. Revoir, Rocky C. Shore; MASTER PLUMBER, Louis F. Smith, Darrell W. Olson; JOURNEYMAN PLUMBER, Stephen Crawford, Louis F. Smith, Darrel W. Olsen; TAXI CAB DRIVERS, James Roy Carlton, Robert W. McCleve, Dorothy Fuger, Terry Koski all with the Morningstar Cab Company, Milton E. Peebler, and Norman K. Marler with Yellow Cab Company; BARTENDER, Lawrence M. Skinner, Jack K. Jensen, Linda Ann Craig, Ruben Treasurer, Nico Homburg, Mark Healy, Carl W. Medders, Julie Jenkins, Stuart L. Greene, 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.

The City Clerk presented three applications for safe and sane fireworks licenses as follows: Oliver's Fireworks, 1869 North Yellowstone; Oliver's Fireworks, corner of Lomax and Yellowstone; Kings, 570 East 17th Street. These applications carried with them a recommendation from the Fire Prevention Department that they not be granted on the

grounds that the fireworks that would be sold failed to be labeled as safe and sane as required by State Law. It was moved by Councilman Hovey, seconded by Wood, that this recommendation be upheld and these licenses be denied. Roll call as follows: Ayes, 6; No, none; carried.

From the Personnel Director came this memo:

City of Idaho Falls
June 26, 1975

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Personnel Director
SUBJECT: I.B.E.W. WAGE AND BENEFIT PROPOSAL

On June 16, 1975, the Mayor and City Council directed the Personnel Director to make a wage and benefit offer to I.B.E.W. Local No. 57 and enter into a new working agreement based on that offer.

It is now requested that this action and the offer that was extended be formally approved and ratified by the Mayor and Council.

Respectfully submitted,
s/ A. Lee Mundell

It was moved by Councilman Karst, seconded by Freeman, that this action be duly ratified and the Mayor be authorized to sign the new working agreement between the City and the I.B.E.W., when presented. Roll call as follows: Ayes, 6; No, none; carried.

A City Tax Deed was presented in favor of Joan Burns, accompanied by this Resolution:

R E S O L U T I O N (Resolution No. 1975-26)

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 April, 1969, recorded as Instrument No. 395719, 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, Lot 46 to 48, inclusive, of Block 24 per the recorded plat thereof.

WHEREAS, JOAN BURNS has paid to the City of Idaho Falls the amount 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 JOAN BURNS a Deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 24th day of June, 1975.

APPROVED BY THE MAYOR this 24th day of June, 1975.

s/ S. Eddie Pedersen
Mayor

ATTEST: s/ Roy C. Barnes
City Clerk

It was noted that, in the interests of time, the Deed and the Resolution were signed by the Mayor and City Clerk on June 24th without formal Council approval. It was moved by Councilman Karst, seconded by Freeman, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

This Amendatory Agreement No. 1 to B. P. A. Contract No. 14-03-37022 was submitted:

Amendatory Agreement
No. 1 to Contract No.
14-03-37022

City of Idaho Falls
308 C Street, Box 220
Idaho Falls, Idaho

Gentlemen:

SUBJECT: DELAY OF NOTICE OF INSUFFICIENCY UNDER POWER SALES CONTRACT NO. 14-03-37022 (POWER SALES CONTRACT)

In the past few weeks, representatives of the Public Power Council and Bonneville have been working hard to complete prototype drafts of new 20-year power sales contracts for execution by all Bonneville preference customers. At the same time, the Public Power Council, representing the preference customers, and Bonneville have been working with Washington Public Power Supply System and Bonneville industrial customers regarding the other agreements affecting future power supply for the region. All parties involved now agree that all of these agreements cannot be completed and executed by the parties by July 1, 1975, although we are dedicated to completing all agreements, including fully executed new power sales contracts with all preference customers, by September 1, 1975.

At our customer meeting in Seattle on March 3, 1975, we announced that if the agreements were not executed by the parties by July 1, 1975, a notice would be sent proper to that date to each preference customer stating that BPA had "insufficient firm energy" to meet the load growth of such customers in accordance with section 22 of the General Contract Provisions (GCP) attached to each customer's BPA power sales contract. Several preference customers

and the Public Power Council Executive Committee have requested that we delay such notice while limiting Bonneville obligations to those which would occur if such notice were given prior to July 1, 1975. This would allow orderly completion of such agreements which would preclude the need for such a notice. We concur with that objective; however, if a customer has not executed and returned this agreement by June 20, we must issue a notice of insufficiency to that customer prior to July 1, 1975.

Therefore, we propose that the parties amend the Power Sales Contract as follows:

1. TERM: This amendment shall be effective on the date it is fully executed and delivered and will extend to the earlier of (1) the date the Power Sales Contract is terminated, or (2) July 1, 1975; provided, however, that this amendment shall be null and void if not fully executed by the parties on or before June 20, 1975.

2. NOTICE OF INSUFFICIENCY: The Administrator hereby agrees to delay, until on or after June 20, 1976 giving notice to the Purchaser (as defined in the Power Sales Contract) that the Administrator has insufficient energy resources to meet firm requirements and commitments to Bonneville customers pursuant to Section 22 of the GCP attached to the Power Sales Contract.

3. EFFECT OF NOTICE OF INSUFFICIENCY: The purchaser hereby agrees that, if the Power Sales Contract is not terminated prior to June 20, 1976, through execution of a new 20-year power sales contract, any notice of insufficiency given to the Purchaser on or before July 1, 1976, shall be deemed to have been delivered to the purchaser prior to July 1, 1975, for the purposes of determining the amounts of electric energy that Bonneville is obligated to deliver to the purchaser pursuant to Section 22 of the GCP attached to the Power Sales Contract.

If the above terms and conditions are acceptable, please sign one copy of this letter and a copy of the authorizing resolution, and return it to the appropriate BPA area or district office. It will be effective as to the parties upon receipt by Bonneville.

Sincerely yours,
s/ Donald Paul Horechl
Administrator

It was noted that, in the interests of time, this document was signed by the Mayor on June 18th without formal Council approval. It was moved by Councilman Wood, seconded by Gesas, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Finally under matters requiring ratification, this transfer agreement between the City and Utah Power and Light pertaining to Esquire Acres electric customers, was submitted:

UTAH POWER & LIGHT COMPANY
P.O. BOX 127
REXBURG, IDAHO
June 23, 1975

Steve Harrison
City of Idaho Falls
P.O. Box 220
Idaho Falls, Idaho

Dear Steve:

We are planning on going ahead with the cut-over on Esquire Acres in the afternoon of the 26th of June. We would also propose that we hold off selling you the accounts or the amounts owing for sixty days which would mean that on August 26th we would sell you all accounts then owing. This would give all of those customers in Esquire Acres a period of time to pay the final bill and also those who are in arrears to pay up their accounts that are delinquent. On the morning of the 27th of August we would review payments on those accounts and those that have not been paid or that we have not been successful in our collection efforts we would sell to you.

If you are in agreement with this proposal would you please sign the letter and return it to me for our files so that the two of us are in agreement with this proposal.

If you have any questions or if I can be of any further help, let me hear from you.

Sincerely yours,
s/ R. J. Rhees
Division Manager

Because the cut-over was scheduled for the afternoon of June 26, the Electrical Engineer had signed said agreement on June 24th. It was moved by Councilman Wood, seconded by Gesas, that this be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Two City deeds were then presented in favor of Reese Casperson, accompanied by these resolutions:

R E S O L U T I O N (Resolution No. 1975-27)

WHEREAS, the City of Idaho Falls, owns the following described real property, to-wit:

Lots Sixteen (16) and Seventeen (17), Block Thirty-four (34), Highland Park Addition to the City of Idaho Falls, Idaho, according to the recorded plat thereof.

WHEREAS, REESE T. CASPERSON has offered to pay to the City of Idaho Falls the sum of $1,901.00 and has tendered deposit of that sum in cash with the City Treasurer in accordance with Idaho Code 50-1751:

NOW THEREFORE, BE IT RESOLVED:

That upon the payment of said sum of money by said purchaser, the Mayor is authorized and directed to make, execute and deliver to the said Reese T. Casperson a deed to said property, in the name of the City of Idaho Falls.

ATTESTED BY THE CITY CLERK AND DULY ACKNOWLEDGED IN THE MANNER REQUIRED BY LAW.

PASSED BY A MAJORITY OF THE WHOLE COUNCIL this 26th day of June, 1975.

APPROVED BY THE MAYOR this 26th day of June, 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. 1975-28)

WHEREAS, the City of Idaho Falls, owns the following described real property, to-wit:

Lots Forty-four (44) and Forty-five (45), Block Forty-eight (48), Highland Park Addition to the City of Idaho Falls, Idaho, according to the recorded plat thereof.

WHEREAS, REESE T. CASPERSON has offered to pay to the City of Idaho Falls the sum of $1,000.00 and has tendered deposit of that sum in cash with the City Treasurer in accordance with Idaho Code 50-1751:

NOW THEREFORE, BE IT RESOLVED:

That upon the payment of said sum of money by said purchaser, the Mayor is authorized and directed to make, execute and deliver to the said Reese T. Casperson a deed to said property, in the name of the City of Idaho Falls.

ATTESTED BY THE CITY CLERK AND DULY ACKNOWLEDGED IN THE MANNER REQUIRED BY LAW.

PASSED BY A MAJORITY OF THE WHOLE COUNCIL this 26th day of June, 1975.

APPROVED BY THE MAYOR this 26th day of June, 1975.

s/ S. Eddie Pedersen
Mayor

ATTEST: s/ Roy C. Barnes
City Clerk

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 City Controller came this memo:

City of Idaho Falls
June 26, 1975

MEMORANDUM

TO: Mayor S. Eddie Pedersen and City Council
FROM: John D. Evans, Controller
SUBJECT: BANKING ACCOUNT – BANK OF IDAHO, COUNTY CLUB BRANCH

Requesting your authorization for the City Treasurer to open an account at the Bank of Idaho, Country Club Branch, for the purpose of redeeming warrants and making investments.

s/ John D. Evans

It was moved by Councilman Karst, seconded by Freeman, that authorization be granted to establish an account with the Country Club Branch of the Bank of Idaho for the reason as stated. Roll call as follows: Ayes, 6; No, none; carried.

This letter was presented and read aloud:

June 18, 1975
Chester O. Elder
1121 Bannock Avenue
Idaho Falls, Idaho

To Whom It May Concern:

I would like to make a bid on the Lots 9-10-11 on Highland Addition, situated on Bannock Avenue.

I understand that the Willow Creek going through, takes up one lot.

Would you consider $500.00 a fair price for that property?

Sincerely,
s/ Mrs. Chester Elder

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

City of Idaho Falls
June 23, 1975

TO: Mayor and City Council
FROM: Lorna Coughlin
SUBJECT: SALE OF PROPERTY

Attached, please find an offer for Lots 9-10-11, Block 52, Highland Park for $500.00. This property came into the hands of the City through Quiet Title Suit in 1967. It straddles the Willowbrook Creek. There is not enough land to build on. However, these people have a house several lots away and would like to have the property. It was in L.I.D. No. 22 and No. 24 and we have $38.58 in legal costs and $94.45 in taxes paid on the property. Both L.I.D.'s are paid out.

I recommend that we accept this offer.

s/ Lorna

It was moved by Councilman Karst, seconded by Freeman, that this offer for the property as described be accepted. Roll call as follows: Ayes, 6; No, none; carried.

By memo, Personnel Director Mundell submitted these recommended changes in the City's Personnel Policy:

TO: Honorable Mayor and City Council
FROM: Personnel Division
SUBJECT: RECOMMENDED CHANGES TO THE CITY OF IDAHO FALLS PERSONNEL POLICY

ARTICLE VII. OVERTIME

3. DELETE. (Deletes reference to compensatory time)
4. Stand-by shall be any time an employee must be available for emergency work in addition to the basic work week (VI; 2) and overtime (VII; 1). The employee shall be paid a minimum of sixteen (16) hours pay at the straight time rate. The hours worked shall be computed at the overtime rate of one and one-half (1-1/2) hours until the standby guarantee is fulfilled and the time over that shall be paid at the normal overtime rate for each hour worked.
5. Any employee required to take an emergency call, except those on stand-by, shall be guaranteed two (2) hours at one and one-half (1-1/2) times the base rate/call, excepting should two (2) calls fall within one (1) two (2) hour time period.

ARTICLE XIV. SICK LEAVE
(Line 1)

Sickness as referred to herein, shall include all sickness including illness due to pregnancy occurring either while on duty or while off duty, except those exclusions referred to in Paragraph XVIII. NON-OCCUPATIONAL INJURY.

7. The minimum charge for sick leave is one-half hour and additional sick
leave is charged to multiples of one-half hour. Absences for shorter periods may not be accumulated from day to day for the purpose of charging units of one-half hour.

ARTICLE XVII. IMMEDIATE FAMILY

5. Grandparents or grandchildren of either husband or wife.

ARTICLE XXVII. GRIEVANCE PROCEDURES

1. Every employee shall have the right to complain formally concerning grievances. Grievances contemplated herein shall be limited to disputes involving internal conduct of a department within a Division of the City. In the presentation of grievances at all levels, employees shall be free from restraint, interference, discrimination, or reprisal by the City.
6. If the grievance is not presented or forwarded by the employees and/or his representative within the time limit(s) specified above such grievance shall be deemed waived. If the grievance is not answered by the City within the time limit(s) specified above such grievance shall be deemed granted.

ARTICLE XXXIII. MATERNITY LEAVE

1. The City will in no way restrict an employee from working because of pregnancy if in the opinion of her physician she is capable of performing her duty.
2. Sick leave during pregnancy will be allowed for permanent employees for such purposes as doctor appointments and minor temporary disability during the term of pregnancy.
3. Should it become necessary for an employee to request a leave of absence because of pregnancy, she may request a leave without pay under the provisions of Article XXIII.
4. An employee granted a leave of absence because of pregnancy shall be entitled to return to her former position or to an equivalent position. Should the employee not return at the expiration of the approved leave period, her position shall be considered open.

ARTICLE XXXIV. ASSOCIATION BUSINESS

Employees elected to any Association Office or selected by the Association for the purpose of any grievance meeting or presentation of new recommendations, upon notification to their Division Director, shall be granted time off to perform such duties with no loss of pay to the employee, provided such meetings or duties shall not require the employee to leave the City or indulge in any other meetings or business not to exceed a minimum of four (4) people at any one time.

s/ A. Lee Mundell
Personnel Director

Mundell indicated in his memo that these were changes as proposed by the M.E.A. and other City employee groups. It was moved by Councilman Karst, seconded by Freeman, that these proposed changes in the Personnel Policy be accepted and adopted and be made a part of said Policy. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director came this memo:

City of Idaho Falls
June 26, 1975

ATTENTION: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: ROLLANDET SEWER – G 8-u

On June 24, 1975, three bids were received for the construction of the Rollandet Avenue Sanitary Sewer as follows:

Kennaday Paving Company	$ 9,558.00
Grover Construction Company	$10,308.00
R. V. Burggraf Construction Company	$12,398.00

The Engineer's Estimate was $10,606.00. We would recommend the Council award the contract to the low bidder, Kennaday Paving Company in the amount of $9,558.00.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Karst, that Kennaday Paving Company be awarded the bid as recommended on the Rollandet Avenue Sanitary sewer. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
June 26, 1975

ATTN: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: ADDENDUM TO CONTRACT WITH DEPARTMENT OF TRANSPORTATION

We are attaching hereto a Resolution and Addendum No. 1 to an Engineering Agreement pertaining to our Safer Roads Demonstration Grant. Without affecting the amount of the grant or our participation, this addendum provides for a box culvert replacement on St. Clair Road at Benton Street. We are recommending the Mayor and City Clerk be authorized to sign the City's approval.

Respectfully submitted,
s/ Don

The foregoing memo served to introduce this resolution:

R E S O L U T I O N (Resolution No. 1975-29)

WHEREAS, the Idaho Transportation Department, Division of Highways, hereinafter called the State, has submitted a Cooperative Agreement, Addendum Number 1, stating obligations of the State of Idaho and the City of Idaho Falls, Idaho; for the construction of projects under the Safer Roads Demonstration Program, Highway Safety Act of 1973, Section 405; and,

WHEREAS, the State is responsible for obtaining compliance with laws, standards and procedural policies in the development, construction and maintenance of improvements made under Title 23, US Code; and;

WHEREAS, certain functions to be performed by the State involve the expenditure of funds as set forth in the Preliminary Engineering Agreement; and

WHEREAS, the State cannot pay for any work not associated with the State Highway System; and,

WHEREAS, the City is fully responsible for all project costs; and,

WHEREAS, it is intended that the project shall be developed and constructed so as to receive Federal participation.

NOW THEREFORE, BE IT RESOLVED:

1. That the Preliminary Engineering Agreement, Addendum No. 1, as hereby approved.

2. That the Mayor and the City Clerk are hereby authorized to execute the Preliminary Engineering Agreement, Addendum No. 1 on behalf of the City.

3. That duly certified copies of the resolution shall be furnished the Idaho Transportation Department, Division of Highways.

It was moved by Councilman Gesas, seconded by Karst, that this resolution be adopted and passed. Roll call as follows: Ayes, 6; No, none; carried. It was noted that, by passage of the above resolution, the Mayor and City Clerk were authorized to sign Addendum No. 1 to the Preliminary Engineering Agreement for Project No. SRC-10-736(67).

By memo the Public Works Director presented an outside-the-City water service contract in favor of Merlin F. Hart, 2585 N. Holmes Avenue. It was moved by Councilman Gesas, seconded by Karst, that this contract be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

A final plat of the Jossie Hughes Addition, Division No. 3 was presented and studied. It was moved by Councilman Wood, seconded by Erickson, that the plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

An annexation agreement of the Jossie Hughes Addition, Division No. 3 was then presented. 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.

ORDINANCE NO. 1424

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (JOSSIE HUGHES ADDITION, DIV. #3)

The foregoing ordinance was presented in title. It was moved by Councilman Wood, seconded by Erickson, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 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.

With reference to this newly annexed Jossie Hughes Addition, Division No. 3, it was moved by Councilman Wood, seconded by Erickson, that the entire area be initially zoned R-3A. Roll call as follows: Ayes, 6; No, none; carried.

Presented by Councilman Hovey was a memorandum of understanding between the City and Larry Matson, local architect, stating terms and conditions whereby said architect would be retained to furnish preliminary architectural services up to but not including working drawings in connection with a proposed airport terminal building expansion. City Controller Evans appeared briefly noting that funds for this service, although budgeted, would be forthcoming from certain Federal Funds and, to date, said funds had not been received. It was moved by Councilman Hovey, seconded by Gesas, that this memorandum of understanding be approved and the Mayor and City Clerk be authorized to sign, subject to the availability of the necessary funding or, at least, satisfactory assurance that said funding would be available. Roll call as follows: Ayes, 6; No, none; carried.

Introduced by the City Attorney was the following resolution:

R E S O L U T I O N (Resolution No. 1975-30)

RE: PROPOSED LOCATION AND DESIGN OF SEVENTEENTH STREET FROM YELLOWSTONE AVENUE TO SOUTH BOULEVARD IN IDAHO FALLS, IDAHO; PROJECT T-4060(6)

WHEREAS, Seventeenth Street from Yellowstone Avenue to South Boulevard in Idaho Falls, Idaho, has been designated a portion if the State of Idaho Highway System with "Urban D" classification; and

WHEREAS, the City of Idaho Falls is the sponsor of Federal Aid Project T-4060(6) for the relocation, widening and replacement of roadways for said portion of Seventeenth Street; and

WHEREAS, the Idaho Transportation Board has duly held and conducted a public hearing within the City of Idaho Falls concerning the property of further prosecuting said Federal Aid Project, all pursuant to the provisions of Section 40-121 Idaho Code, as Amended, and the provisions of Public Law 85-767, Title 23, Section 128, U.S. Code; and

WHEREAS, a transcript of the full hearing proceedings has been furnished to the Mayor and City Councilmen of said City, and the contents thereof have been by them thoroughly studied and reviewed; and the Mayor and City Council have been fully advised concerning the facts and circumstances surrounding and connected with said proposed project, including factors of safety, convenience of highways users, common welfare of the people of Idaho Falls and surrounding areas, economic and social effects of the proposed work, its impact on the environment, and its consistency with the goals and objectives of the urban planning promulgated by the City and its planning agencies; and

WHEREAS, the City of Idaho Falls finds that the benefits and advantages to the general public in prosecuting the project to completion far outweigh any possible irritation, inconvenience or small losses which might be visited upon a few persons residing near, or on lands adjacent to the project.

NOW THEREFORE, BE IT RESOLVED BY THE MAYO AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

That the Idaho Transportation Board be, and is hereby, requested to render its decision approving Federal Aid Project T-4060(6) as proposed for Seventeenth Street, and to certify its decision and report as soon as reasonably may be accomplished to the Secretary of Commerce for funding approval.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR THIS 26th DAY OF JUNE, 1975.

ATTEST: s/ Roy C. Barnes — City Clerk

s/ S. Eddie Pedersen — Mayor

Councilman Freeman noted that, at the last Council meeting, a pledge was made to the 17th Street residents that a study would be made on an alternate truck route. Freeman noted, for the record, that said study was being made by the Traffic Safety Committee. It was moved by Councilman Gesas, seconded by Karst, that this resolution be adopted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1425

AN ORDINANCE ADOPTING THE NATIONAL ELECTRICAL CODE, 1975 EDITION, PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, AS PART OF THE ELECTRICAL CODE OF IDAHO FALLS, IDAHO; SETTING FORTH THE SCOPE OF SAID CODE; PROVIDING THAT THREE (3) COPIES OF SAID NATIONAL CODE SHALL BE HEREAFTER KEPT ON FILE IN THE OFFICE OF THE CITY CLERK; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Wood, seconded by Gesas, 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.

Councilman Freeman noted that present plans call for a fireworks display at Keefers Island on July 4th and, also, a fireworks display at the Pioneer Rodeo on July 24th. It was moved by Councilman Freeman, seconded by Erickson, that these displays be approved at the locations and on the dates as indicated. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Gesas, seconded by Erickson, that the meeting adjourn at 9:00 p.m., carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

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