

MAY 22, 1975

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, May 22, 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 Norris Gesas, Jim Freeman, Mel Erickson, Ralph Wood and Paul Hovey. Absent: Councilman Gil Karst. Also present, Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Don Lloyd, Public Works Director; Chad Stanger, General Services Director; Ernie Craner, Parks and Recreation Director; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Lee Mundell, Personnel Director.

Minutes of the last recessed regular meeting, held May 8th and special meetings held May 12, 15, 16, 19, and 20, 1975, were read and approved.

The Mayor acknowledged a Government Class from Skyline High School in the Council Chambers. He thanked them for their presence and their civic interest.

Mr. Dale Huskinson, 355 West 17th Street, appeared before the Council with reference to a hearing recently conducted by the State Highway Department relative to the proposed 17th Street Reconstruction Project between Boulevard and the South Highway. He said it was rather noticeable and very regrettable that the City Councilmen did not remain for the entire hearing and, in fact, were absent for the portion of the hearing having to do with verbal testimony from affected 17th Street residents. Mr. Huskinson, speaking in behalf of said residents, asked for another opportunity to meet with the Council. Councilman Erickson noted that it would take about 10 days for the transcript of that hearing to be made available to the Councilmen and it was anticipated that, when received, the Mayor and Council would hear the transcript as a group. Mr. Huskinson was reminded that the next regular Council Meeting would be held June 12th and an invitation was extended for the 17th Street residents to meet with the Council at that time.

License applications for JOURNEYMAN PLUMBER, Thayne Kunz; CONTRACTOR, CLASS D, Kenneth Dean; JOURNEYMAN, CLASS D WARM AIR HEATING, Kenneth Dean; MOTEL, George Warren for Driftwood; BEER (TRANSFER ONLY) from David J. Collet to Doc Potter for Westland Gas; TAXI CAB DRIVER, Gary Chamberlin and Larry Wallace, both with Morning Star Cab Company; BARTENDERS, Leone W. Eames, Kriston Coates, Ray Wilkerson, Bonny Barnhart, Valorie May Porter, 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, 5; No, none; carried.

Under matters requiring ratification, this memo from the Personnel Director was submitted:

City of Idaho Falls
May 22, 1975

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Personnel Director
SUBJECT: NOTICE TO STRIKING EMPLOYEES

On May 19, 1975, the Mayor and City Council directed the Personnel Director to send a notice to all striking employees within General Services, Public Works, Parks and Recreation, and Airport Divisions concerning return to work by Friday, May 23, 1975.

It is not requested that this action be formally ratified by the Mayor and Council.

Respectfully,
s/ Lee Mundell

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It was moved by Councilman Freeman, seconded by Erickson, that this action, as well as the letter that went out to striking employees, be approved and ratified. Roll call as follows: Ayes, 5; No, none; carried.

This claim was submitted for Council consideration:

Allstate
May 21, 1975

City of Idaho Falls
Legal Department
Idaho Falls, Idaho

Gentlemen:

After an investigation of the accident identified above, it is our opinion that the City is legally responsible. The proximate cause of this accident was the missing stop sign which the City had failed to replace.

We have made a settlement with our policy owner and he has assigned to us his claim against you.

Please send us a payment for the amount shown above within the next ten days, or advise the name of your liability insurance carrier so that we may contact them direct.

Copies of our repair estimate and proof of payment are enclosed.

Cordially,
s/ Ruth Volk, Adjuster

It was moved by Councilman Freeman, seconded by Erickson, that this be referred to the City's liability carrier for appropriate handling. Roll call as follows: Ayes, 5; No, none; carried.

Presented by the City Clerk was a City Redemption Tax Deed, accompanied by this resolution:

R E S O L U T I O N (Resolution No. 1975-19)

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. 394074, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 45, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville Lots 22-24, incl. of Block 61 per the recorded plat thereof.

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WHEREAS, RAYMOND CROY 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 RAYMOND CROY a deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 22nd day of May, 1975.

APPROVED BY THE MAYOR this 22nd day of May, 1975.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

It was moved by Councilman Freeman, seconded by Erickson, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 5; No, none; carried.

A City deed in favor of Jack Branson was then submitted, accompanied by this resolution:

R E S O L U T I O N (Resolution No. 1975-20)

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

Lots 25 and 26, Block 64, Highland Park Addition to the City of Idaho Falls, Idaho, as per recorded plat thereof.

WHEREAS, JACK BRANSON has offered to pay to the City of Idaho Falls, the sum of \$5,025.00 and has tendered deposit of that sum in cash with the City Treasurer in accordance with Idaho Code S50-1751:

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 JACK BRANSON 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 22nd day of May, 1975.

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APPROVED BY THE MAYOR this 22nd day of May, 1975.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

It was moved by Councilman Freeman, seconded by Erickson, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 5; No, none; carried.

Reference is made to page 110 in this book of minutes and, more specifically, an offer made by Mr. Thurman Peterson on certain lands on which the City has quieted title. The particular land was originally included in LID #25 and LID #27. In this connection, this letter from Mr. Peterson was presented and read aloud:

Idaho Falls, Idaho
May 5, 1975

Mayor Pedersen:
Members of the City Council

Gentlemen:

Due to the situation where the Federal Government is appealing the decision of the court to clear title to the lots recently sold by the City of Idaho Falls I request you hold in abeyance this transaction.

If and when this title clearance is obtainable, I will be most happy to work out an agreement satisfactory to both of us.

Thank you,
s/ Thurman H. Peterson

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

City of Idaho Falls
May 16, 1975

TO: Mayor and City Council
FROM: Lorna Coughlin, City Treasurer

The attached letter refers to the piece of land Mr. Peterson offered to purchase at the Council meeting on April 24th. We now find that the U.S. Government has appealed their court case. This land is a part of the "Omitted Lands", a dispute that has been in the courts for years. We cannot give a clear title until this has been resolved.

I recommend that we grant his request.

s/ Lorna

It was moved by Councilman Freeman, seconded by Erickson, that Mr. Peterson's request that his offer be held in abeyance be granted for the reason as indicated. Roll call as follows: Ayes, 5; No, none; carried.

From the City Clerk came this memo:

MAY 22, 1975

City of Idaho Falls
May 22, 1975

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

The Police Department has advised that there is now a sufficient accumulation of impounded or unclaimed material and vehicles to warrant an auction sale. Now that we again have the services of the Police Department to assist, we are recommending that an auction sale be conducted at the usual time and places on Saturday, June 14, and that Kent Just be retained to serve as auctioneer.

Respectfully submitted,
s/ Roy C. Barnes

It was moved by Councilman Freeman, seconded by Gesas, that this City sponsored auction sale be authorized on the date as indicated, that Kent Just be retained as auctioneer and the City Clerk, in turn, be authorized to publish legal notice as required by law. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the General Services Director was reviewed:

City of Idaho Falls
May 22, 1975

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-75-7

It is the recommendation of the General Services Division that the low bid submitted by Stoddard-Mead Ford, Inc. of \$10,477.00 w/trade for a 1975 dump truck with a TESCO body be accepted as the low bid.

Thank you,
s/ Chad Stanger
General Services Dir.

It was moved by Councilman Erickson, seconded by Hovey, that the Stoddard-Mead bid for the dump truck and body be accepted in the amount as indicated. Roll call as follows: Ayes, 5; No, none; carried.

Another memo from the General Services Director was presented, to-wit:

May 22, 1975

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-75-9

It is the recommendation of the General Services Division and the Engineering Department that the City Council accept the bid of Arrowhead Machinery for \$15,404.00 for a street paint striper with the options as being the lowest bid meeting the acceptable specifications.

Thank you,
s/ Chad Stanger

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It was moved by Councilman Erickson, seconded by Hovey, that the bid of Arrowhead Machinery in the amount of \$15,404 for a street striper be accepted. Roll call as follows: Ayes, 5; No, none; carried.

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

City of Idaho Falls
May 22, 1975

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-75-8

It is the recommendation of the General Services Division and the Golf Course that the bid submitted by Cliff Carlson Company of \$4210.00 for a 72" rotary mower w/heavy duty deck and the options of snow blower for \$1096.95 and cab for \$672.20 be accepted as low bid meeting specifications.

Thank you,
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that Cliff Carlson Company be awarded the bid on a 72" rotary mower with heavy duty deck, snow blower options and a cab in the amount of \$1769.15. Roll call as follows: Ayes, 5; No, none; carried.

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

City of Idaho Falls
May 22, 1975

TO: Honorable Mayor and City Council
FROM: Chad Stranger
SUBJECT: EMPLOYEE FACILITY-CITY GARAGE

It is the recommendation of the General Services and Public Works Division that the City Council accept the proposal of Clark Construction Company for \$58,455.00 as the apparent low bidder for the Employee Facility at the City Garage.

Thank you,
s/ Chad Stanger

Councilman Erickson noted that this facility has been badly needed for over four years, as it would serve 61 men. Erickson said the bid was slightly higher than the budgeted amount but he has assurance from the Controller that the difference would be available from contingency funds. It was moved by Councilman Erickson, seconded by Hovey, that Clark Construction be awarded the bid in the amount of \$58,455 for construction of an employee facility at the City Garage. Roll call as follows; Ayes, 5; No, none; carried.

From the Public Works Director, this memo was presented and read:

MAY 22, 1975

City of Idaho Falls
May 22, 1975

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: 12TH STREET & LEE AVENUE WATER LINE RENEWAL 12A-96 &
F4- DD

Plans and specifications have been completed for the water main renewal on 12th Street and Lee Avenue. We are requesting authorization for the City Clerk to advertise for competitive bids.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Freeman, that the City Clerk be authorized to advertise for bids on the water line as described. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Building Administrator was submitted:

City of Idaho Falls
May 22, 1975

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: DEVELOPMENT PLAN – ALBERTSON SHOPPING CENTER, 17TH
STREET & HOLMES AVENUE

Attached are copies of a plot plan, landscape plan and elevations of a proposed remodeling and expansion of the shopping center located at 17th Street and Holmes Avenue. This property is now zoned RSC-1 (Residential Shopping Center).

The proposed expansion will occur in the vacant property to the east of the existing building and no addition to the present zoning is anticipated. The Planning Commission, at their last regular meeting, reviewed the plans and recommended approval subject to engineering approval. The engineer's recommendations have been met except for some minor design details regarding configuration of parking stalls and aisle width within the parking lot. These changes will be made prior to issuance of a building permit.

The plans are now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

Mr. Tom Naylor, Real Estate Manager for Albertson, appeared before the Council to answer any questions that might be posed. The Councilmen reviewed the development plan and found everything to be in order. It was moved by Councilman Wood, seconded by Erickson, that this development plan be approved with the conditions as stated in the foregoing memo. Roll call as follows: Ayes, 5; No, none; carried.

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Anticipating annexation of the Rose Nielsen Addition, Division No. 6, a final plat of that area was presented. It was moved by Councilman Wood, seconded by Erickson, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

ORDINANCE NO. 1415

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. (ROSE NIELSEN ADD., DIV. #6)

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, 5; 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, 5; No, none; carried.

With reference to this newly annexed area, it was moved by Councilman Wood, seconded by Erickson, that said area be initially zoned R-3A. Roll call as follows: Ayes, 5; No, none; carried.

A final plat was then presented covering the Valley Bank property scheduled for annexation this night. It was moved by Councilman Wood, seconded by Erickson, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

The Valley Bank property annexation agreement 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, 5; No, none; carried.

ORDINANCE NO. 1416

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. (VALLEY BANK PROPERTY)

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, 5; 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, 5; No, none; carried.

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With reference to this newly annexed area, it was moved by Councilman Wood, seconded by Erickson, that it be initially zoned M-1. Roll call as follows: Ayes, 5; No, none; carried.

A final plat of the West Jennie Lee Addition, Division No. 14, was then reviewed. 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, 5; No, none; carried.

ORDINANCE NO. 1417

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. (WEST JENNIE LEE ADDITION, DIVISION NO. 14).

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, 5; 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, 5; No, none; carried.

It was moved by Councilman Wood, seconded by Erickson, that all of the West Jennie Lee Addition, Division No. 14 be initially zoned R-1. Roll call as follows: Ayes, 5; No, none; carried.

Presented by the City Clerk was a final plat of the Hatch Addition, Division No. 5. It was moved by Councilman Wood, seconded by Erickson, that this plat be accepted and the Mayor and City Clerk to be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

An annexation agreement between the City and the Hatch Addition, Division No. 5 developer was then submitted. 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, 5; No, none; carried.

ORDINANCE NO. 1418

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. (HATCH ADDITION, DIVISION NO. 5).

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, 5; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the Mayor declared the rule dispensed

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with and ordered the ordinance placed before the Council for final consideration, the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 5; No, none; carried.

With reference to the Hatch Addition, Division No. 5, it was moved by Councilman Wood, seconded by Erickson, that this area be initially zoned R-3A. Roll call as follows: Ayes, 5; No, none; carried.

With reference to all the foregoing annexations, it was moved by Councilman Wood, seconded by Erickson, that the Building Official be directed to incorporate all of these initial zonings on the official zoning map, located in his office. Roll call as follows: Ayes, 5; No, none; carried.

This resolution was introduced by Councilman Gesas:

R E S O L U T I O N (Resolution No. 1975-21)
(Declaring Existence of Calamity)

WHEREAS, The weather conditions during the late winter and spring of 1975 created extraordinary deterioration within and upon the streets of Idaho Falls, Idaho; and,

WHEREAS, Said deterioration presents extraordinary safety hazards to the public; and,

WHEREAS, The City of Idaho Falls is threatened with an extraordinary flood during the month of May, 1975, which flood threatens to further undermine and damage said streets; and,

WHEREAS, On the 28th day of April, 1975, the City employees (including the police, street, electrical, sanitation, parks and recreation, and shop employees) have conducted a general strike;

NOW, THEREFORE, IT IS RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS:

(1) That said general strike, deterioration of streets, and flood threat are deemed to constitute a "Public Calamity" within the means of Section 50-341 (L), Idaho Code.

(2) That the delay entailed in advertising for bids would jeopardize the health, safety, and welfare of the public using said streets.

(3) That the City of Idaho Falls may expend not to exceed \$30,000.00 during the said emergency in accomplishing the repair of streets without complying with the competitive bidding laws.

Passed by the Council and approved by the Mayor this 22nd day of May, 1975.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

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It was moved by Councilman Gesas, seconded by Freeman, that this Resolution be adopted and passed and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was then submitted:

City of Idaho Falls

May 22, 1975

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: EMERGENCY STREET REPAIR – 4A-3 AND C16-c.7

By previous informal Council action, Public Works was instructed to solicit proposals for emergency street repair work. Of the four local companies in the asphalt business, three submitted proposals and Bonneville Paving Company submitted the lowest proposal which was accepted by informal Council action. We are requesting that the Council ratify this previous action.

Respectfully submitted,
s/ Don

Councilman Gesas explained that the low proposal from Bonneville Paving Company was in the amount of \$29,852.50 and was scheduled to cover an overlay on Holmes Avenue from 12th Street to the alley between 16th Street and 17th Street; also, large patches on 12th Street within the 600, 700, 800, and 900 blocks. It was moved by Councilman Gesas, seconded by Freeman, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

RESOLUTION (Resolution No. 1975-22)
(Establishing Authority of Named Persons to draw on
HUD "Letter of Credit" Funds)

WHEREAS, the City of Idaho Falls has been designated a recipient of Grant Funds from U. S. Department of Housing and Urban Development; and,

WHEREAS, payment of such funds can be effected only by the execution of Treasury Forms GFO-7578 (Vouchers on Letter of Credit);

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

(1) That the following-named persons, only, are authorized to sign on behalf of the City of Idaho Falls, Idaho, periodically Treasury Forms GFO-7578, being payment vouchers on Letter of Credit prepared by HUD, namely: S. Eddie Pedersen, John D. Evans, and Lorna Coughlin.

(2) That the signatures of any two of said persons shall be sufficient to bind the City.

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(3) That the specimen signatures of said authorized persons are as follows:

s/ S. Eddie Pedersen
Specimen Signature of
S. Eddie Pedersen

s/ John D. Evans
Specimen Signature of
John D. Evans

s/ Lorna Coughlin
Specimen Signature of
Lorna Coughlin

Passed by the Council and approved by the Mayor this 22nd day of May, 1975.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

It was moved by Councilman Freeman, seconded by Erickson, that this Resolution be adopted and passed and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

Presented, then was a grant agreement for the Community Development Block Grant Program. It was moved by Councilman Freeman, seconded by Gesas, that the Mayor be authorized to sign the acceptance provisions of this grant agreement. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor re-appointed Mr. Don Lloyd, Public Works Director, as a Board Member of Flood Control District No. 1. It was moved by Councilman Erickson, seconded by Freeman, that this re-appointment be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

The City Council, having heard and considered protests against the creation of Local Improvement District No. 49 at its meeting on April 24, 1975, and having taken the protests under advisement, now, on motion of Councilman Gesas, seconded by Councilman Freeman, the following Resolution was adopted by the unanimous vote of the Council and Mayor:

(Resolution No. 1975-23)

“RESOLVED: That the actual value of the real property included in proposed Local Improvement District No. 49 is \$3,122,000.00; that the actual value of the real property included in said District, exclusive of the improvements thereon is \$332,000.00; that several protests against portions of the proposed work have been made in writing by property owners and filed with the City Clerk; that such protests have been made by the owners of less than two-thirds of the abutting, adjoining, contiguous and adjacent lands and lots within such proposed Improvement District; that each and all of said protests have been carefully considered; that certain property is included within said District which should not be assessed to pay the costs and expenses of such improvement, and that portions of such improvement should not be made, and the same may be eliminated from the District; that the petition requesting the organization of the District is proper and the District after such portions are eliminated therefrom, will be for the best interests of the property affected and the City of Idaho Falls, Idaho; that there is reasonable probability that the obligations of such District, as modified, will be paid; that the Resolution of Intention passed by the City Council and approved by the Mayor on March 13, 1975, shall be the same and hereby is, amended and modified as to the streets and parts of streets and alleys and parts of alleys and lots and lands to be

included within the boundaries of Local Improvement District No. 49, to read as follows, to-wit:

MAY 22, 1975

LOCAL IMPROVEMENT DISTRICT NO. 49 (FINAL)
DESCRIPTION OF WORK

STREET PAVING IN CAPITOL HILL ADDITION

May Street: From the east right-of-way line of Holmes Avenue to the west right-of-way line of Wabash Avenue.

STREET PAVING IN DAVID SMITH ADDITION

Laprele Street: From the east right-of-way line of Skyline Drive to the east boundary line of the David Smith Addition.

STREET PAVING IN THE HIGHLAND PARK ADDITION

Fairview Street: From the east right-of-way line of Jefferson Avenue to the east right-of-way line of Latah Avenue.

Presto Street: From the west right-of-way line of Fremont Avenue to the west right-of-way line of Lemhi Avenue.

STREET PAVING IN THE MARTIN ADDITION

East 15th Street: (North Side) From the east Lot line of Lot 8, Block 3, to the east right-of-way line of Holmes Avenue.

East 15th Street: (South Side) From the east Lot line of Lot 5, Block 4, to the east right-of-way line of Holmes Avenue.

STREET PAVING IN THE MAYFLOWER ADDITION

Elva Street: (North Side) Across the frontage of Lots 35 thru 42 inclusive, Block 15.

STREET PAVING IN THE SKYLINE TERRACE ADDITION

Blue Sky Drive: (North Side) From the west right-of-way line of Westhill Avenue to the west boundary line of the Skyline Terrace Addition.

STREET PAVING IN THE SOUTH IDAHO FALLS ADDITION

Leslie Avenue: From the south right-of-way line of 19th Street to a point that is 30 feet south of the south right-of-way line of the 20th Street.

STREET PAVING IN SECTION 23, TOWNSHIP 2 NORTH, RANGE 37, E B M

Blue Sky Drive: (North Side) From the west right-of-way line of Westhill Avenue (extended) to the west boundary line (extended) of the Skyline Terrace Addition.

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STREET PAVING IN SECTION 25, TOWNSHIP 2 NORTH, RANGE 37, E B M

Leslie Avenue: From the south right-of-way line of 19th Street to 30 feet south of the south right-of-way line (extended) of 20th Street.

SIDEWALKS

SIDEWALKS IN CAPITOL HILL ADDITION

May Street: (North Side) From the east right-of-way line of Holmes Avenue to the west right-of-way line of Wabash Avenue.

May Street: (South Side) From the east right-of-way line of Freeman Avenue to the west right-of-way line of Wabash Avenue.

SIDEWALKS IN DAVID SMITH ADDITION

Laprele Street: From the east right-of-way line of Skyline Drive to the east boundary line of the David Smith Addition.

SIDEWALKS IN HIGHLAND PARK ADDITION

Fairview Street: (North Side) From the east right-of-way line of Latah Avenue to the west right-of-way line of Fremont Avenue and across the frontage of Lot 1, Block 8.

Fairview Street: (South Side) Across the frontage of Lots 24 and 25, Block 10.

Presto Street: (North Side) Across the frontage of Lots 1 and 48, Block 12, and Lot 1, Block 13.

Presto Street: (South Side) Across the frontage of Lot 24, Block 22.

SIDEWALKS IN THE MARTIN ADDITION

East 15th Street: (North Side) From the east lot line of Lot 16, Block 3, to the east right-of-way line of Holmes Avenue.

East 15th Street: (South Side) From the west right-of-way line of Cranmer Avenue to the west lot line of Lot 4, Block 4 and from the east lot line of Lot 16, Block 4 to the east right-of-way line of Holmes Avenue.

SIDEWALKS IN THE MAYFLOWER ADDITION

Elva Street: (North Side) Across the frontage of Lots 35 through 42, Block 15, inclusive.

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SIDEWALKS IN THE SKYLINE TERRACE ADDITION

Blue Sky Drive: (North Side) From the west right-of-way line of Westhill Avenue to the west boundary line of the Skyline Terrace Addition.

SIDEWALKS IN THE SOUTH IDAHO FALLS ADDITION

Leslie Avenue: From the south right-of-way line of 19th Street to a point that is 30 feet south of the south right-of-way line of 20th Street.

SIDEWALKS IN SECTION 23, TOWNSHIP 2 NORTH, RANGE 37, E. B. M.

Blue Sky Drive: (North Side) From the west right-of-way line of Westhill Avenue (extended) to the west boundary line (extended) of the Skyline Terrace Addition.

SIDEWALKS IN SECTION 25, TOWNSHIP 2 NORTH, RANGE 37, E. B. M.

Leslie Avenue: From the south right-of-way line of 19th Street to 30 feet south of the right-of-way line (extended) of 20th Street.

LOTS AND LANDS

CAMBRIDGE TERRACE PARK ADDITION

Lot 1, Block 6

CAPITOL HILL ADDITION

Block 9, Lots 25 to 48, inclusive
Block 10, Lots 25 through 48, inclusive
Block 15, Lots 1 to 24, inclusive (Central Park Block)
Block 16, Lots 1 to 24, inclusive

DAVID SMITH ADDITION

Block 1, Lots 2 thru 5, inclusive
Block 2, Lots 1 thru 4, inclusive

HIGHLAND PARK ADDITION

Block 5, Lots 1 thru 12, and Lots 37 thru 48, inclusive
Block 6, Lots 1 thru 12, and Lots 37 thru 48, inclusive
Block 7, Lots 1 thru 12, and Lots 37 thru 48, inclusive
Block 8, Lots 1 thru 12, and Lots 37 thru 48, inclusive
Block 9, Lots 13 thru 36, inclusive
Block 10, Lots 13 thru 36, inclusive
Block 11, Lots 13 thru 36, inclusive
Block 12, Lots 1 thru 48, inclusive
Block 13, Lots 1 thru 7, and Lots 20 thru 26, inclusive
Block 22, Lots 13 thru 36, inclusive
Block 23, Lots 13 thru 36, inclusive

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MARTIN ADDITION

Block 3, Lots 8 to 20, inclusive
Block 4, Lots 1 to 20, inclusive

MAYFLOWER ADDITION

Block 15, Lots 35 thru 42, inclusive

SKYLINE TERRACE ADDITION

Block 7, Lots 15 and 16

SOUTH IDAHO FALLS ADDITION

Block 43, Lots 12 to 37, inclusive
Block 42, Lots 12 to 24, inclusive

SECTION 25, TOWNSHIP 2 NORTH, RANGE 37, E. B. M.

That parcel of ground lying west of Leslie Avenue for a depth of 125 feet, running from the south property line of West 19th Street (extended) to 30 feet south of the south property line (extended) of West 20th Street.

That said Resolution of Intention as so amended and modified shall be, and the same hereby is, ratified and approved.

s/ S. Eddie Pedersen
MAYOR

ATTEST:
s/ Roy C. Barnes
CITY CLERK

Councilman Gesas introduced Ordinance No. 1419 entitled:

ORDINANCE NO. 1419

AN ORDINANCE CREATING AND SETTING FORTH THE BOUNDARIES OF LOCAL IMPROVEMENT DISTRICT NO. 49 IN AND FOR IDAHO FALLS, IDAHO, FOR THE PURPOSE OF GRADING, GRAVELING, PRIME COATING, SEAL COATING, PAVING, CURBING, GUTTERING, SURFACE DRAINING AND CONSTRUCTING SIDEWALKS ON CERTAIN STREETS AND PARTS OF STREETS; PROVIDING THAT SUCH IMPROVEMENT SHALL BE TAXED AND ASSESSED UPON ALL PROPERTY IN SAID DISTRICT IN PROPORTION TO THE NUMBER OF SQUARE FEET OF LANDS AND LOTS ABUTTING, ADJOINING, CONTIGUOUS AND ADJACENT THERETO INCLUDED IN SAID DISTRICT AND IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS

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WITHIN STREET INTERSECTIONS SHALL BE PAID FROM THE GENERAL FUNDS OF THE CITY AND FIXING THE AMOUNT THEREOF; AND PROVIDING FURTHER THAT THE MAKING OF SAID IMPROVEMENTS IS DEPENDENT UPON THE ISSUANCE AND SALE OF LOCAL IMPROVEMENT BONDS TO DEFRAY THE COST OF SAID IMPROVEMENTS OTHER THAN THE COST AND EXPENSE TO BE PAID FROM THE GENERAL FUNDS OF THE CITY.

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 Erickson that the rules be suspended, and that the Ordinance be placed on its second and third reading. Motion was seconded by Councilman Hovey, 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 Gasas, seconded by Councilman Wood, 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: Councilman Erickson, Councilman Freeman, Councilman Gasas, Councilman Hovey, and Councilman Wood.

It was moved by Councilman Gasas, seconded by Freeman, that authorization be granted to advertise for construction bids under L.I.D. No. 49 as soon as possible. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Gasas displayed a pictured model of a fire plug painted with a combination of red, white, and blue colors in keeping with the patriotic theme of the 1976 Bicentennial. Gasas reported that these were available on a replacement basis if it met with General Council approval. No Councilman registered opposition to this replacement program.

The Mayor then invited final questions or comment from the floor of the Council Chambers. Mr. Glenn Spracher, Airport Employee, appeared before the Council. He inquired about the validity of a recent news release which intimated that striking employees from Laborers Local No. 1227 and Operating Engineers Local No. 370 who recently returned to work would receive longevity benefits. Councilman Freeman replied by saying that, in his opinion, it was unfortunate that this was released. He said the Council has made every effort to hold the line on the 8.8% employee wage and benefit package and, if longevity were now added, this would enhance said percentage by about 1.2%. Freeman then proceeded to read aloud this news release, dated May 22nd, and signed by the Mayor and Personnel Director:

City of Idaho Falls
May 22, 1975

TO: All news media of Idaho Falls, Idaho

It has now appeared in news releases of May 21, 1975, that all striking employees who return to work will be granted "longevity payments". The thrust of this statement is that these personnel will receive an increase in total benefits in excess of 8.8%. This is not correct. The Mayor and City Council have promised the returning personnel a total of 8.8% in increased benefits. The notices which went out to the striking employees made 8.8% the ceiling for

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increased benefits. Any change from that position would have to have affirmative action by the City Council. There has been no such action.

s/ S. Eddie Pedersen
Mayor
s/ A. Lee Mundell
Personnel Director

It was moved by Councilman Freeman, seconded by Erickson, that this matter be referred to the Fiscal Committee for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Darwin Kinghorn, another Airport employee, then appeared before the Council. He drew attention to the fact that, last year, certain employees received a 15.4% wage and benefit package which included longevity. Freeman answered by saying that there were many complexities which entered into the final decision a year ago, including the fact that other employees who did not receive longevity received other benefits such as clothing allowance.

There being no further business, it was moved by Councilman Erickson, seconded by Wood, that the meeting adjourn at 8:40 p.m.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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