

**APRIL 24, 1975**

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The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, April 24, 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 Jim Freeman, Mel Erickson, Ralph Wood, Gil Karst, Paul Hovey, and Norris Gesas. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Lorna Coughlin, City Treasurer; Rod Gilchrist, City Planner; Robert Pollock, Police Chief; Steve Harrison, Electrical Engineer; Lee Mundell, Personnel Director; Chad Stanger, General Services Director; Ernie Craner, Parks & Recreation Director; Don Lloyd, Public Works Director.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing for the purpose of hearing and considering protests and other comments for or against the creation and establishment of LID #49. Noting a rather large contingent of citizens present in the Council Chambers, the Mayor announced that, in the interests of time so as not to detain those present any longer than necessary, the hearing would precede the reading of the minutes. The Mayor invited Councilman Gesas, as Chairman of the Public Works Council Committee, to conduct the hearing. Gesas first asked for a report from City Engineer Laird, explaining the scope of the proposed district and other statistical information relative to costs. Laird, in turn, asked his assistant, Mr. Ed Turner, to submit the report, illustrated by slides on the screen. Turner first depicted all affected areas. With minor exceptions, this information was identical to an earlier report to the Council by Laird and can be found, for the record, on page 61 in this book of minutes. Turner then explained costs. It was learned that the estimated cost of LID #49 would be in the amount of \$488,900 and that said costs would be borne as follows: Assessments \$374,362; City property assessment, \$21,738; City participation in intersections, engineering, etc., \$92,800. Estimated assessment rates were then submitted. It was learned that curb and gutter would run at or around \$5.22 per lineal foot; residential paving, \$1.00 per square foot; commercial paving, \$1.80 per square foot; 4" sidewalk, 6 ft. wide, \$1.37 per square foot; 6' driveways, \$1.96 per sq. ft. To illustrate, Turner said that a typical 100' lot would be assessed about \$3,494 for curb, gutter, sidewalk and paving. Turner then explained the formula and the method of arriving at assessment costs, including the difference between front and end street assessments, based upon benefits.

At the invitation of Councilman Gesas, the City Clerk presented and read aloud all written protests, as follows:

Idaho Falls, Idaho  
April 8, 1975

Dear Sirs:

I am writing in regards to the paving and graveling of Presto to Fairview Street. I am 84 years old in May. I have paid taxes since I was 22 years old. I bought this place 36 years ago this month. Worked 16 hours a day 7 days a week and more to pay for it. Now I am unable to work except around the house and yards. I manage to have kept them up pretty well until now. I live on less than \$115.00 a month. One half of that goes for doctor, medicine and hospital bills – some times more. I live on what is left. I have only been on welfare a short time. Never asked for very much, and always willing to work my way through life – happy with what I have. But there comes a time when it has to stop – so I don't see how I can help at this end of the journey.

Very truly yours,  
s/ Edna G. Brown

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P.S. You can leave the Pursch off. He don't own any of it and I don't understand how or why his name got on the deed.

s/EGB

Garrett Freightlines, Inc.  
April 23, 1975

Roy C. Barnes, City Clerk  
P.O. Box 220  
Idaho Falls, Idaho

Dear Mr. Barnes:

The Garrett Freightlines Corp. and its representatives have reviewed your proposal for renewal of sidewalks and improvement of the property belonging to Garrett Freightlines which is Sec. 24, TWP. 2 North, Range 37, E.B.M.

We feel this is not beneficial to our property at this time.

We would like this letter to go on record as Garrett Freightlines opposing the improvements.

Sincerely,  
s/ Dean Monson  
Terminal Manager

April 23, 1975

Dear Sirs:

As property owners in the City of Idaho Falls we wish to go on record as opposed to the establishment of the LID No. 49. As property owners directly affected by the proposed paving of East 15<sup>th</sup> Street in the Martin Addition, we are strongly opposed to this improvement.

We believe this is the wrong time for these improvements. With the high costs of materials, labor, etc., the cost of these improvements will be out of reason.

We will be unable to pay off this cost in a lump sum. Therefore, the cost will increase considerably with a bond issue.

In our particular case this assessment amounts to twelve per cent of assessed property value as of 8/6/1971, and our property does not even front on East 15<sup>th</sup> Street; which is due for improvement. You can imagine the cost of those whose property does front on said Street.

We feel an assessment of this type which amounts to ten to twenty per-cent of assessed property value is far out of line.

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Again, we're opposed to the improvement district as a whole, and to the Martin Addition Improvement in particular.

Sincerely,  
s/ George Cauble  
s/ Mrs. George Cauble

Authorized Television Service  
1498 S. Yellowstone Avenue  
April 23, 1975

Honorable Mayor and City Council  
City of Idaho Falls  
Idaho Falls, Idaho

I have received notice that my property is included in the proposed Local Improvement District #49. This property is located on South Yellowstone Highway where 15<sup>th</sup> Street and/or Chamberlain Avenue extended joins the highway.

I wish to protest the inclusion of my property in the District of the following reasons:

1. My assessment is estimated at \$4,244.00 which includes curb, gutter, paving and sidewalks. The cost of these improvements is unrealistic in relation to the benefit to my property or expected increase in value;
2. The major portion of the traffic on this street is generated by Rogers Brothers and Cream top Creamery plants;
3. While the assessments of these two companies are substantial, they are the real recipients of the benefits of the improved access roadway and dust abatement for the protection of their food products;
4. The inclusion of sidewalks on this section is unnecessary as pedestrian traffic is almost nil. The cost of sidewalks in my assessment is approximately \$614.00;
5. Access to my business for the past 21 years has been from Yellowstone Avenue. The side street has been used primarily as a route for potato and milk trucks for the two businesses on Chamberlain Avenue, (extended);
6. If my property must be included in Local Improvement District #49, then at the very least eliminate the sidewalks (\$614.00) and the driveways (\$823.00 ) from the plan as these are useless to me or to my property.

Respectfully submitted,  
s/ C. Earl Neyman

**APRIL 24, 1975**

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PETITION OF PROTEST AGAINST LID #49 MAY ST. AREA,  
IDAHO FALLS, IDAHO

To the Honorable Mayor  
and City Council of the  
City of Idaho Falls, Idaho

Dear Sirs:

We the undersigned citizens of Idaho Falls do hereby petition the Mayor and Council of Idaho Falls, Idaho with our objections to the LID Street Paving and Sidewalks, due to the unreasonable and excessive cost of the improvements.

Yours truly,  
s/ J. Richard Rapp  
s/ Badah Rapp  
s/ Sophia Rapp  
s/ W. E. Phillips  
s/ J. L. Glick

Rogers Bros. Food Co.  
April 24, 1975

City Council of the City of Idaho Falls  
% City Clerk  
Idaho Falls, Idaho

RE: Protest of Proposed Street Paving and Sidewalks in Section 24, Township 2 North, Range 37 E.B.M.

Gentlemen:

Pursuant to Notice of Intention to establish Idaho Falls Local Improvement District No. 49, Rogers Brothers Food Company, a property owner of property adjacent to a proposed project for addition of street paving and sidewalks in Section 24, Township 2 North, Range 37, East, B.M., more particularly involving a portion of Chamberlain Avenue and West 15<sup>th</sup> Street, does hereby give written notice of its protest to the making of such improvements and respectfully requests the City Council that such project be deleted from L.I.D. No. 49.

Very truly yours,  
s/ R. B. McLean

Idaho Falls, Idaho  
April 23, 1975

Roy C. Barnes  
City Clerk  
City of Idaho Falls, Idaho

Dear Sir:

**APRIL 24, 1975**

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The members of the Seventh-Day Adventist Church, of Idaho Falls, Idaho hereby protest Resolution No. 1 of March 13, 1975, which Resolution includes the property owned by the Church in Idaho Falls Local Improvement District No. 49.

We respectfully ask that we (Lot 15, Block 56, Skyline Terrace, Division No. 6) not be included in the L.I.D.

Among other reasons, it is felt by the members of the Church that this would be an unfair action. The property was purchased in an area which had long established streets (Market Road) and which indicated no possibility of such development.

It would be an extremely costly burden for the Church; a burden we are not prepared to assume at this time.

s/ Richard W. Thompson  
Elder

Shippen Construction  
Company, Inc.  
April 4, 1975

Honorable Mayor S. Eddie Pedersen  
P. O. Box 220  
Idaho Falls, Idaho

Re: L.I.D. No. 49  
Honorable Mayor Pedersen:

I wish to protest the removing and replacing of sidewalks on the north side of east 15<sup>th</sup> Street from Lot 9 to Lot 15. These were put in new with the curb and gutter 2 years ago and the concrete is all good and does not need replacing.

I am in favor of the balance of the improvements in this area.

Very truly,  
s/ Grant B. Shippen  
SHIPPEN CONST. CO.

Dear Sirs:

This letter concerns your City plans to put pavement, curbs and gutters on Presto Street.

We, who live here on Presto, are very concerned about the amount we have been assessed to pay for this work. Many of us lived here before you installed the park and we didn't ask for that, even now we are not asking for the improvement of this street, especially at our own expense. In this day of inflation, it is most difficult to meet the every day needs of life without having to pay for public highways. I realize that we are all part of the public, but I feel that the City cannot and should not be improved at the expense of the welfare and well being of its' people.

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I sincerely hope you will consider how difficult it is to pay some \$1,100.00 for a road when your income barely reaches across the monthly bills for food, clothing, medicine and the necessities of life. Frankly, there is no room for other bills such as we here on Presto have been assessed.

We hope that you find another way to pay for this improvement.

Thank you,  
s/ Laurine Ames Throop

Idaho Falls, Idaho  
April 21, 1975

Idaho Falls City Council  
Idaho Falls, Idaho

Gentlemen:

We are opposed to the establishment of Idaho Falls Local Improvement District No. 49.

Our reasons for opposing are: Huge increase in cost of utilities, increase in property taxes, anticipated school bond levy, high labor cost, high cost of materials, high cost of financing the project.

Yours very truly,  
s/ Wright Weaver  
s/ Eileen T. Weaver

Gesas then invited oral protests and other comment from the floor.

Mrs. Hazel Skelton, 485 Gustafson Drive, appeared before the Council as a property owner affected by the proposed Chamberlain Street Improvement. She protested this portion of the overall improvement on the grounds that it was not needed and that her property would not benefit.

Mr. Loren Stangland, Idaho Falls Plant Manager and Mrs. Randy Klimpt, Attorney for the In House Legal Department Counsel, both appeared in the interests of Rogers Brothers. The substance of their combined protests relative to the Chamberlain Street Improvement was to the effect that the cost to their company would far exceed the benefits. Mr. Stangland drew attention to the fact that most of the vehicular traffic on that street was created by their company trucks and that, in it's present condition, it satisfactorily served their needs.

With reference to the proposed improvement on Pancheri Drive, Reverend Roger Bierwagen, Pastor of the Seventh Day Adventist Church appeared. He said the cost of such an improvement would create an undue hardship on their membership. Carlene Aguirre, church member and Lorraine Thompson, church treasurer, also appeared and concurred with the remarks of Rev. Bierwagen. Mrs. Aguirre also added that, when the site was originally decided upon for the church, it was served by Market Road and that no member had any knowledge of the improvement which is now being proposed.

Mr. Glen (Pete) Seehusen appeared before the Council relative to the proposed Leslie Avenue improvement. He first asked why this proposed improvement was not planned to extend farther south. Lairs answered by saying that there was right-of-way problems. Mr. Seehusen then protested his inclusion in the District on the grounds that his was warehouse property and would not benefit from the improvement.

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In answer to a question by Mr. Mark Lee, relative to the proposed Presto Street Improvement, Laird explained the nature and extent of the proposed improvement on that street.

Mr. Winston Soelberg, 600 North Holmes Avenue, appeared to protest the proposed May Street improvement which he said he would have favored and, in fact, requested several years ago when construction costs were not excessive. He drew attention to the fact that he had previously requested and was denied rezoning of his residential property and he said this improvement would not be justified for his property on a residential basis. He said the biggest benefactor on this improvement would be the City because of Central Park immediately south. Mr. Soelberg continued however, and asked in the event the improvement did materialize, about his parking and, more specifically, the trees along said parking. Laird said that, on his block at least, the parking and the trees would remain.

Mr. Grant Shippen appeared before the Council to say that, even though he was in favor of the East 15<sup>th</sup> Street Improvement, he protested the inclusion of sidewalk, curb and gutter reconstruction in front of his apartment complex on the grounds that said facilities did not come up to City specifications and had never been accepted by the City.

Mrs. Marilyn Bernard, 557 E. 15<sup>th</sup> Street, appeared briefly to concur with Mr. Shippen. She said that, in her opinion, the sidewalk, curb and gutter in question were in good condition. Otherwise, Mrs. Bernard said she favored the proposed street improvement on East 15<sup>th</sup> Street.

Mr. George Cauble, 1545 S. Holmes, appeared briefly to protest his being included in the district as a result of the 15<sup>th</sup> Street improvement. He said that his residence, because it faces Holmes, would not benefit from said improvement.

Gesas then turned to the proposed improvement on Laprelle Street. Mr. Joe Nishkioa, owner of the South Skyline Apartments, appeared briefly to say that, even though he favored this improvement, he felt obliged to enter his protest because of the extensive projected cost. He said he was still paying on the South Skyline improvement. No protests were registered toward the proposed improvements on Fairview, Preston or East Elva. In view of these various protests, it was moved by Councilman Gesas, seconded by Karst, that all protests be taken under advisement. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor then called for a short recess to clear the Council Chambers of all those who had no interest in remaining for the remainder of the Council meeting.

After the meeting was reconvened, minutes of the last recessed regular meeting, held April 10<sup>th</sup> and a special meeting held April 23<sup>rd</sup>, 1975, were read and approved.

License applications for RESTAURANT, The Billiard Shop, Orange Julius; DAIRY, Cream Top Dairy; JOURNEYMAN ELECTRICIAN, Charles A. Howell, Lewis Prim, Otto Reay; JOURNEYMAN PLUMBER, Dallas D. Pope, Dale E. Terry; CLASS D CONTRACTOR, REFRIGERATION, Louis Roser Co.; CLASS C JOURNEYMAN, GAS FITTING, WARM AIR, HEATING, Dallas D. Pope; CLASS C JOURNEYMAN, GAS FITTING, Max Russell; CLASS D JOURNEYMAN, GAS FITTING, Dale Terry; CLASS D JOURNEYMAN, REFRIGERATION, Alvin Mawson, George Barnett, Dan Campbell; MOTEL, Motel West; TAXI CAB COMPANY, Morning Star Cab Company (3 cabs); BEER, (Transfer only) from Johnnie Davidson to Don W. Meppen for Meppen's Airport Service; TAXI CAB OPERATOR, Rocky Hubler; PRIVATE PATROLMAN, Robert Hammon with Services Incorporated; BARTENDER, John Heflin, Kurt Doney, Wallace Wright, Dell Miller, Ruth Williams, Theo Johnson, Teresa Gauthier, Michael Hummel, Lorene Steele, Barbara Robison, Beverly Parks, Margo Cherry, 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.

Two City redemption tax deeds in favor of Robert L. Young and P.B. Coburn were presented, accompanied by these resolutions:

**APRIL 24, 1975**

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**R E S O L U T I O N (Resolution No. 1975-13)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 21<sup>st</sup> day of May, 1970, recorded as Instrument No. 408004, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 1-4, incl., Block 61, Highland Park Addition to the City of Idaho Falls, Idaho, as per recorded plat thereof.

WHEREAS, P.B. COBURN 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 purchases to make, execute and deliver of the said P.B. COBURN, a deed to said property, pursuant to the provision of Section 50-2951, Idaho Code:

PASSED BY THE COUNCIL this 24<sup>th</sup> day of April, 1975.

APPROVED BY THE MAYOR this 24<sup>th</sup> day of April, 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. 1975-14)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 29<sup>th</sup> day of March, 1967, recorded as Instrument No. 371121, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 13 and 14, Block 9, Highland Park Addition to the City of Idaho Falls, Idaho, as per recorded plat thereof:

WHEREAS, ROBERT L. YOUNG 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:

**APRIL 24, 1975**

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

PASSED BY THE COUNCIL this 24<sup>th</sup> day of April, 1975

APPROVED BY THE MAYOR this 24<sup>th</sup> day of April, 1975.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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

Following are a series of memos from the City Treasurer, submitting, for Council consideration, various offers on various parcels of property on which the City had previously quieted title through various Local Improvement Districts:

City of Idaho Falls  
April 23, 1975

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: SALE OF QUIET TITLE LANDS

Lots 12-18 incl. less that portion sold to State, Block 64, Highland Park Addition

Offers:	\$1,035.79	Urban Olsen, 195 Rogers Street, Idaho Falls, Idaho
	\$1,005.00	Reese Casperson, 1060 Iona, Idaho Falls, Idaho
	\$3,000.01	Thurman H. Peterson, Route #5, Idaho Falls, Idaho
	\$1,000.00	J. L. Wursten, 2190 Calkins, Idaho Falls, Idaho

The amount needed by the City to pay assessments by the end of April 1975, is \$2,656.94.

s/ Lorna Coughlin  
City Treasurer

It was moved by Councilman Karst, seconded by Freeman, that the high bid of Thurman Peterson in the amount of \$3,000.01 be accepted. Roll call as follows: Ayes, 6; No, none; carried.

City of Idaho Falls  
April 23, 1975

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: SALE OF QUIET TITLE LANDS

Lots 25-32 incl., Block 64, Highland Park Addition

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Offers: \$5,025.00, JACK L. BRANSON, 1228 Bear Avenue, Idaho Falls, Idaho  
\$4,900.00, H. REYNOLD GEORGE, 222 W 2 N, Rigby, Idaho

The amount needed by the City to pay assessments by the end of April, 1975, is \$4,878.47.

s/ Lorna Coughlin  
City Treasurer

Attention was called to this supplementary memo from the City Treasurer, relative to the foregoing offers:

City of Idaho Falls  
April 24, 1975

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: SALE OF QUIET TITLE LANDS

Attached is a letter in reference to an offer on Lots 25-32 incl., Block 64, Highland Park, received earlier. This letter was received today April 24<sup>th</sup> and the deadline on the offers was April 21<sup>st</sup>. What is your pleasure?

s/ Lorna Coughlin  
City Treasurer

Seventh Judicial District  
April 21, 1975

Honorable Eddie Pedersen, Mayor  
City Council  
Idaho Falls, Idaho

Gentlemen:

I made an offer to the City of Idaho Falls, on Lots 25-32 incl., Block 64, Highland Park Addition in the sum of \$4900.00 and I understand these offers will be reviewed on Thursday, April 24, 1975. The notice in the papers did not indicate that sale would be made to the highest bid and I would like the opportunity to match the bid higher than mine, if there be one.

Whatever is the correct procedure I would like to follow that. Thank you for your attention to this matter.

Sincerely yours,  
s/ H. Reynold George

Councilman Karst noted that this matching offer from Mr. Reynold George could not be considered as it was received three days after the deadline. It was moved by Councilman Karst, seconded by Freeman, that the high bid of Jack Branson in the amount of \$5,025.00 be accepted. Roll call as follows: Ayes, 6; No, none; carried.

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City of Idaho Falls  
April 23, 1975

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: SALE OF QUIET TITLE LANDS

Lots 23 and 24, Block 33, Highland Park Addition to City of Idaho Falls, Idaho.

Offers: \$1,502.00, Reese Casperson, 1060 Iona, Idaho Falls, Idaho  
\$1,600.00, Jess Williams, 1294 Cassia Avenue, Idaho Falls, Idaho

The amount needed by the City to pay assessments by the end of April 1975 is \$1,477.19.

s/ Lorna Coughlin

It was moved by Councilman Karst, seconded by Freeman, that the high bid of Jess Williams be accepted. Roll call as follows: Ayes, 6; No, none; carried.

City of Idaho Falls  
April 23, 1975

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: SALE OF QUIET TITLE LANDS

Lots 16 and 17, Block 34, Highland Park Addition

Offers: \$1,901.00, Reese Casperson, 1060 Iona, Idaho Falls, Idaho

The amount needed by the City to pay assessments by the end of April 1975 is \$2,071.08. Of this amount \$177.88 is in LID #25 which paid out in 1967. The difference between the offer and the total is \$170.08.

s/ Lorna Coughlin

Councilman Karst noted that the Council would be justified in accepting this offer, inasmuch as an appraisal would be in excess of \$170.08. It was moved by Councilman Karst, seconded by Freeman, that this lone bid from Reese Casperson be accepted. Roll call as follows: Ayes, 6; No, none; carried.

City of Idaho Falls  
April 23, 1975

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: SALE OF QUIET TITLE LANDS

Lots 44 and 45, Block 48, Highland Park Addition.

Offers: \$1,000.00, Reese Casperson, 1060 Iona, Idaho Falls, Idaho  
500.00, Thurman Peterson, Route #5, Idaho Falls, Idaho

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The amount needed by the City to pay assessments by the end of April 1975 is \$1,677.73.

s/ Lorna Coughlin  
City Treasurer

It was moved by Councilman Karst, seconded by Freeman, that the Casperson bid in the amount of \$1,000.00 be accepted. Roll call as follows: Ayes, 6; No, none; carried.

City of Idaho Falls  
April 23, 1975

TO: Mayor and City Council  
FROM: Lorna Coughlin  
SUBJECT: SALE OF QUIET TITLE LANDS

Lot 18, and the adjacent 6,375 sq. ft. to the north less a corner the City plans to take off to make a safety curve.

Offer: \$800.00, Thurman Peterson, Route #5, City of Idaho Falls.

The amount needed by the City to pay assessments by the end of April 1975 is \$2,656.94. All of this amount is in LID #25 and #27 which have closed out in 1967 and 1972. These amount to \$2,491.99 the balance is for legal costs and taxes paid out.

s/ Lorna

Karst drew attention to the fact that this particular property must be of only marginal value except to Mr. Peterson, in view of the fact that there was only one offer, plus the fact that a portion of the land will be taken by the City to construct a safety curve. It was moved by Councilman Karst, seconded by Freeman, that the lone bid of Thurman Peterson in the amount of \$800.00 be accepted. Roll call as follows: Ayes, 6; No, none; carried.

From the General Services Director came this memo:

City of Idaho Falls  
April 18, 1975

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

Respectfully request permission to advertise for bids for a logging tape recorder/reproducer system for the Police Department.

s/ Chad Stanger

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

Another memo from the General Service Director was presented, as follows:

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City of Idaho Falls  
April 23, 1975

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-75-5

It is the recommendation of the General Service Division and Water Department that the low bid of \$21,608.00 submitted by G-K Machinery, Pocatello for a backhoe-loader as bid be accepted.

Thank you!  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that the low bid of G-K Machinery Company be accepted for the back-hoe loader. Roll call as follows: Ayes, 6; No, none; carried.

Also presented by the General Services Director was this memo:

City of Idaho Falls  
April 23, 1975

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: BID #IF-75-4

The General Services Division recommends the acceptance of the low bid for a 1975 four (4) door radar sedan submitted by Smith Chevrolet for \$3441.42 with trade.

Thank you!  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that Smith Chevrolet be awarded the bid in the amount of \$3,441.42 with trade for the radar sedan as indicated. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls  
April 24, 1975

TO: Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: LEASE AT GOLF COURSE

The City of Idaho Falls presently leases a portion of land adjacent to Pinecrest Golf Course to the Coca Cola Bottling Company for a driveway. The amount of land presently leased does not allow enough area for the Company trucks to negotiate a turn without occasional damage to the Golf Course fence.

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We are asking for Council approval for the City Attorney to write a new lease extending the length of the driveway by 20' with the same width as presently used of 27'. The lease should also stipulate that the required change in the fence would be the responsibility of the Coca Cola Bottling Company.

s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that this request be granted and the City Attorney be directed to prepare a revised lease agreement for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

Finally from the General Services Director, this memo was forthcoming, to-wit:

City of Idaho Falls  
April 24, 1975

TO: Honorable Mayor and City Council  
FROM: Chad Stanger  
SUBJECT: Lease Agreement - Lloyd Mickelsen

Attached is a copy of a lease agreement drawn by the City Attorney between the City of Idaho Falls and Lloyd Mickelsen for City owned property on the West River Road. Mr. Mickelsen has agreed to clean, fence, seed the property and pay a cash lease of \$10.00 per year in return for livestock grazing. The term of the lease is five (5) years. Respectfully ask permission for the Mayor and City Clerk to sign this lease.

Thank you!  
s/ Chad Stanger

It was moved by Councilman Erickson, seconded by Hovey, that this lease, as described, between the City and Lloyd Mickelsen be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

From the City Controller came this memo:

City of Idaho Falls  
April 24, 1975

TO: Mayor S. Eddie Pedersen  
FROM: John D. Evans, Controller  
SUBJECT: AUTHORIZATION TO ADVERTISE FOR BIDS - INSURANCE

Requesting your authorization to advertise for bids on insurance coverage which will include General Liability, Airport Liability, Fire and Robbery and Theft coverage.

s/ John Evans

It was moved by Councilman Karst, seconded by Freeman, that authorization be granted to advertise for bids on the insurance coverage as described. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the City Controller was forthcoming, as follows:

**APRIL 24, 1975**

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City of Idaho Falls  
April 24, 1975

TO: Mayor S. Eddie Pedersen and City Council  
FROM: John D. Evans, Controller  
SUBJECT: AUTHORIZATION TO ESTABLISH A CLAIMS FUND

Requesting your authorization to establish a Claims fund and also authorize the Mayor, City Clerk and Treasurer to sign the checks to be issued from this fund. The Treasurer will only sign the checks when the City Clerk is not available for a prolong length of time or in the event of an emergency.

The Claims Fund will be used much the same as the Payroll Fund. A warrant will be issued from each working fund for the total amount of the claims that are approved on the Accounts Payable Listing presented to the Council each month for approval. These warrants will be deposited in the Claims Fund. One check will be prepared by the computer from the Claims Fund to each vendor for the total amount due them. Thus eliminating three or four warrants being issued from the working funds to the same vendor, as the present system requires.

s/ John Evans  
Controller

It was moved by Councilman Karst, seconded by Freeman, that the City Treasurer be authorized to create and establish a Claims Fund as requested. Roll call as follows: Ayes, 6; No, none; carried.

The foregoing memo served to introduce this resolution:

**RESOLUTION (Resolution No. 1975-15)**  
**CORPORATION-ACCOUNT-AUTHORIZATION**

BE IT ORDERED AND RESOLVED by the City Council of the City of Idaho Falls, Idaho, a corporation, that the following officers and employees, namely:

S. Eddie Pedersen	Mayor
Roy C. Barnes	City Clerk
Lorna Coughlin	City Treasurer

shall be and are hereby authorized for and in behalf of said corporation and in its name to:

- (1) Deposit all or any part of the moneys and funds of said corporation in its corporate name with the First Security Bank of Idaho, at its banking offices at Idaho Falls, Idaho in one or more commercial or checking accounts, or one or more savings accounts, or both and/or in any other class or form of account or deposit, including certificates of deposit and cashier's checks, all on such terms and conditions as the person making the deposit may agree with said bank.

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- (2) To assign, endorse and/or guarantee, in writing or by stamp or otherwise, and on such terms and conditions as the person so acting may agree with said bank, all checks, drafts, bills of exchange, certificates of deposit, cashier's checks, and other orders for the payment of money, payable to or belonging to the corporation, and to deliver the same to said bank for deposit as aforesaid or for collection, negotiations, or in exchange for money and said bank is authorized and directed to accept all instruments so assigned, endorsed or guaranteed.
- (3) To sign checks and orders for the payment of money withdrawing funds so deposited, and that said Bank shall be and it is hereby authorized to honor and pay any checks so drawn, when so signed, whether such checks be payable to the order of the officer signing them or any of the officers of this corporation in their individual capacities, or not, and whether they are deposited to the individual credit of the officer signing them, or to the individual credit of the officers of this corporation, or not.

BE IT FURTHER ORDERED AND RESOLVED, that this Resolution remain in full force and effect until notice in writing is given said bank to the contrary, and that the City Clerk of said Corporation certify to said bank under his hand and the seal of the corporation, the foregoing resolution as evidence of the authority herein granted, and to the fact that there are no provisions of the articles of incorporation or by-laws conflicting herewith.

It was moved by Councilman Karst, seconded by Freeman, that this Resolution be adopted. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls  
April 22, 1975

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Director  
SUBJECT: CHAMBERLAIN AVENUE AND FIFTEENTH STREET WATER MAIN

Bids were received on the Chamberlain Avenue Waterline on April 15, 1975. A tabulation of bids is attached. The low bidder (Kennaday Paving Company) H & K Construction Company's bid in the amount of \$19,012.00 was below the Engineer's Estimate of \$21,318.60, and we are recommending the award of a contract to H & K Construction Company.

s/ Don

It was moved by Councilman Gesas, seconded by Karst, that H & K Construction as low bidder be awarded the Chamberlain Avenue Water Line Project in the amount of \$19,012.00. Roll call as follows: Ayes, 6; No, none; carried.

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

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City of Idaho Falls  
April 24, 1975

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Public Works Director  
SUBJECT: INDEMNITY AGREEMENT – WATER LINE CROSSING ACROSS  
THE EAST LATERAL CANAL

We are attaching thereto an indemnity agreement in favor of the New Sweden Irrigation District. This agreement will indemnify the New Sweden Irrigation District for damages which might result from our construction of Pancheri Drive.

With the City Attorney's approval, we would request authorization for the Mayor and City Clerk to sign.

s/ Don

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

This memo from the Building Administrator was presented and read:

City of Idaho Falls  
April 24, 1975

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: ADOPTION OF 1975 NATIONAL ELECTRICAL CODE

The City of Idaho Falls has, for many years, used the National Electrical Code to govern electrical installation within the City. This Code, as are other national codes, periodically revised and updated to conform to new methods, materials, and safety practices.

I am recommending that the Mayor and City Council adopt, by reference, the latest edition (1975) of the National Electrical Code for local use.

The major revisions over the 1971 edition have to do with high voltage installations and have very little effect on the type of construction covered by the electrical inspectors. The only residential change, not previously covered by local ordinance and inspection procedure, is requiring ground fault protection for outdoor receptacles and bathroom receptacles.

s/ Rod

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It was moved by Councilman Wood, seconded by Erickson, that the City Attorney be directed to prepare an ordinance that would adopt the 1975 edition of the National Electric Code by reference and that said ordinance then be presented to the Council for consideration. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Building Administrator was then submitted, as follows:

City of Idaho Falls  
April 24, 1975

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: BUILDING PERMIT FEES

The base for calculating building permit fees is presently \$15.00 per square foot for all types of residential construction, and \$7.50 per square foot for garages. These rates were established in 1973, based on average construction costs at the time. Present building costs are currently much higher than this, and we are proposing that the base be increased to \$20.00 per square foot, and \$10.00 per square foot for garages.

This is still somewhat below the current average building costs, but the increased revenue would assist greatly in offsetting the increased costs of operating the Building Department.

s/ Rod

It was moved by Councilman Wood, seconded by Erickson, that the City Attorney be directed to prepare an ordinance revising building permit fees as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Building Administrator, this memo was reviewed:

City of Idaho Falls  
April 24, 1975

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: REQUEST FOR A VARIANCE – TEMPORARY USE OF A TRAILER  
IN A RESIDENTIAL ZONE

Attached is a copy of a variance submitted by Albert Harry requesting permission to locate a trailer in the rear of the property at 321 South Water Avenue. The petitioner has purchased the residential property which exists at this address and has indicated that it is now uninhabitable. He wishes to reside in the trailer while he is remodeling and rehabilitating the residence.

He is requesting a variance for a period of one year. This department recommends approval of the request, but would recommend a six-month time period subject to a six-month extension if required.

s/ Rod

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Councilman Wood noted that the house at 321 S. Water is unoccupied and in an R-3A zone. He said that re-habilitation of said house would benefit the area. It was moved by Councilman Wood, seconded by Erickson, that the variance, as requested, be approved for a six month period and that, if another six months variance is deemed necessary, it should be presented for Council consideration at that time. Roll call as follows: Ayes, 6; No, none; carried.

Anticipating annexation of the Hatch Addition, Division No. 4, a final plat of that area was presented and studied. It was moved by Wood, seconded by Erickson, that this 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 covering the Hatch Addition, Division No. 4 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. 1412**

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 #4)

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 area, it was moved by Councilman Wood, seconded by Erickson, that it be initially zoned R-1. Roll call as follows: Ayes, 6; No, none; carried.

An annexation agreement covering the Montcliffe Estates, Division No. 2 area 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. 1413**

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. (MONTCLIFFE ESTATES, DIV. #2)

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

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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 Wood noted that the Planning Commission had recommended that Montcliffe Estates, Division No. 2 be initially zoned as follows:

Lots 6 through 23, Block 1 – RPA  
Lots 1 through 11, Block 2 – RPA  
Lots 1 through 4, Block 3 – R-3A  
Lots 5 through 15, Block 3 – R-1

It was moved by Councilman Wood, seconded by Erickson, that this area be initially zoned as recommended and that, relative to both of the foregoing annexations, the Building Official be directed to incorporate said zonings on the official zoning map, located in his office.

From the Director of Aviation came this memo:

City of Idaho Falls  
April 22, 1975

TO:           The Mayor and City Council  
FROM:        The Airport Committee  
SUBJECT:     DISPOSAL OF PURCHASED HOUSES

The present improvement project at the airport necessitated the purchase of certain houses within Esquire Acres, two of which are in possession of the City. To expedite the project and preclude the effects of non-occupancy, we ask City Council permission to sell these houses as soon as possible under sealed bid, with the City retaining the right to accept or reject all bids. The addresses of the residences involved are 648 and 686 North Bellin Road respectfully. We also ask for approval to dispose of the one or two adjacent residences as soon as the City obtains title to them.

s/ Pete Hill

Councilman Hovey noted that bidders would be responsible for removing the houses and the foundations. He said if offers are determined to be non-acceptable the houses could be considered for City use. It was moved by Councilman Hovey, seconded by Erickson, that authorization be granted to sell the houses in question, subject to the approval of the Urban Renewal Agency and the City Attorney to determine proper procedure. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Personnel Director was submitted:

City of Idaho Falls  
April 24, 1975

TO:           Mayor and City Council  
FROM:        Personnel Division

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It is recommended that the City Council formally acknowledge the Municipal Employees' Association acceptance of the 1975 adjustments in salary and benefits of:

1. 6.0% increase to base wage rate effective April 27, 1975.
2. 2.8% benefit to the health and accident benefits with new coverages and premium provisions effective May 1, 1975.

It is also recommended that the City Council formally endorse this same wage and benefit increase to those other City employees in a non-affiliated status.

s/ A. Lee Mundell  
Personnel Director

Councilman Karst explained that City Council approval on this agreement was necessary, inasmuch as the Municipal Employee's Association members and non-affiliated employees were employed without a contract. It was moved by Councilman Karst, seconded by Freeman, that the Mayor and all Councilmen acknowledge and endorse this adjustment in salary and benefits as recommended. Roll call as follows: Ayes, 6; No, none; carried.

The Parks and Recreation Director presented this memo through the City Clerk:

City of Idaho Falls  
April 24, 1975

TO: Mayor and City Council  
FROM: Ernest Craner  
SUBJECT: RUSSELL FREEMAN PARK (INTERSEC)

Request permission for the Mayor and City Clerk to sign a resolution authorizing the filing of an application with the State of Idaho Parks and Recreation Department for financial (B.O.R.) assistance at Russell Freeman Park (INTERSEC). The City of Idaho Falls, and Intermountain Science Experience Center, Inc. has a cooperative agreement regarding this application. The application consists of 23 acres of land north of the present Russell Freeman Park (Eagle Rock).

s/ Ernest Craner

The foregoing memo served to introduce this resolution:

**RESOLUTION AUTHORIZING FILING OF APPLICATION  
PROJECT TITLE RUSSELL FREEMAN PARK (Resolution No. 1975-16)**

WHEREAS, The Federal Land and Water Conservation Fund Act of 1964 (Public Law 88-578) provides financial assistance to the State of Idaho for outdoor recreation purposes, and

WHEREAS, the City of Idaho Falls desires financial assistance under the Land and Water Conservation Fund Program.

NOW, THEREFORE, BE IT RESOLVED by the City of Idaho Falls Council as follows:

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1. That the City of Idaho Falls hereby approved filing an application for Land and Water Conservation Fund financial assistance.
2. That Ernest C. Craner, Director is hereby authorized and directed to execute and file an application with the Idaho Department of Parks and Recreation.
3. That the City of Idaho Falls hereby does agree to finance 100 percent of the project cost, half of which will be reimbursed.

\_\_\_\_\_ + \_\_\_\_\_ + \$284,448 = \$284,448  
(Budgeted Funds & (Force Account) (Donations) (Total Project Cost)  
Other Cash)

It was moved by Councilman Freeman, seconded by Erickson, that this resolution be adopted. Roll call as follows: Ayes, 6, No, none; carried.

By memo, the Parks and Recreation Director presented an electric service agreement with Utah Power and Light Company, stating terms and conditions for serving Noise Park with electric service. It was moved by Councilman Freeman, seconded by Erickson, that this agreement be accepted and the Mayor and City Clerk be authorized to sign, subject to final approval by the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

Also by memo, the Parks and Recreation Director presented an easement with Utah Power and Light covering a guy anchor at Noise Park. It was moved by Councilman Freeman, seconded by Erickson, that the Mayor and City Clerk be authorized to sign, subject to final approval by the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

Under the heading of communications the City Clerk read this letter:

Sharp Anderson & Bush  
April 8, 1975

Mayor and City Council  
City of Idaho Falls, Idaho  
City Building  
Idaho Falls, Idaho

Gentlemen:

We are writing you on behalf of Falls Cab Co., Inc. dba Yellow Cab.

The Falls Cab Company has rendered taxi cab service to residents of Idaho Falls since 1957. It has at all times operated under a license from the City of Idaho Falls which, among things, requires it to have appropriate liability insurance and qualified drivers.

As you know, the Idaho Falls Senior Citizens Organization is operating a motor vehicle which provides transportation to its members and other persons in the community. This service is being provided on a daily basis.

The Falls Cab Company believes it is important that the members of the Senior Citizens and other persons utilizing the transportation services being offered by that organization be afforded the same protection as the City requires of other

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carriers. This can only be done by requiring that the motor vehicle of the Senior Citizens being used for public transportation be licensed as a taxi cab.

We respectfully request that you apply the present ordinance as to taxi cabs to the motor vehicle of the Senior Citizens or, if legal counsel determines such ordinance to be inapplicable, we request that you adopt a new or amended ordinance that would require licensing for that vehicle.

If you would like us to prepare such new ordinance we would be pleased to assist in that manner.

We sincerely believe that you have an obligation to see that any vehicles used for public transportation be properly insured and operated by duly licensed and qualified drivers.

We have been advised that the Senior Citizens organization and/or the Eastern Idaho Social Services Agency plans to add additional vehicles to its public transportation program.

This entire matter has now been under discussion for more than six months and we would appreciate your taking whatever action you determine to be in the public interest as soon as possible.

If you elect to not require licensing of the Senior Citizens' vehicles we respectfully submit that the Falls Cab Co. should not be required to obtain a license.

Sincerely yours,  
s/ Eugene L. Bush

It was moved by Councilman Freeman, seconded by Karst, that this matter be referred to the Police Commissioner. It as moved by Councilman Freeman, seconded by Karst, that this re-appointment be confirmed. Roll call as follows: Ayes, 6, No, none; carried.

Councilman Erickson noted that, in the interests of time, the following revised rate schedule for golf playing at Pinecrest Golf Course had recently been approved by the Council at an informal session. **1975 Fees:** Nine holes weekdays, \$2.00; eighteen holes weekdays, \$3.00; nine holes weekends, \$2.50; eighteen holes weekends, \$4.00; junior fees weekdays, \$2.00; first season ticket, \$61.80; add, season ticket \$41.20; junior season ticket, \$25.75. It was moved by Councilman Erickson, seconded by Freeman, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Introduced by the City Attorney was a lease agreement between the City and Bert Hanson as lessee whereby the City would, on a three year experimental basis, provide sludge from the secondary sewage treatment plant for 32.9 acres of City owned land and that the lessee would agree to grow hay, grain and pasture on said lands. It was moved by Councilman Erickson, seconded by Karst, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

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**ORDINANCE NO. 1414**

AN ORDINANCE VACATING A CERTAIN ALLEY WITHIN THE CITY OF IDAHO FALLS, IDAHO; PROVIDING THAT THE SAME SHALL REVERT TO THE OWNERS OF THE ADJACENT REAL ESTATE; PARTICULARLY DESCRIBING SAID ALLEY; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Karst, seconded by Wood, 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 the foregoing vacating ordinance, it was moved by Councilman Karst, seconded by Wood, that the Mayor and City Clerk be authorized to sign the deed to the vacated alley in favor of Andrew and Ella Tam and Jay and Barbara Jensen. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood introduced the following resolution:

**(WPPSS NUCLEAR PROJECT NOS. 4 AND 5 AND SKAGIT PROJECT)**

**RESOLUTION (Resolution No. 1975-17)**

A RESOLUTION AUTHORIZING THE EXECUTION AND DELIVERY OF OPTION AND SERVICES AGREEMENT WITH WASHINGTON PUBLIC POWER SUPPLY SYSTEM RELATING, AMONG OTHER THINGS, TO WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR PROJECTS NOS. 4 AND 5 AND THE SKAGIT PROJECT.

The City of Idaho Falls, Idaho, (hereinafter called the "City"), is authorized by law to enter into contracts for the purchases of electric power and energy to meet the prospective power and energy needs of the City and its electric customers.

The United States of America, Department of the Interior, acting by and through the Bonneville Power Administrator (hereinafter called "Bonneville") and the electric cooperatives, utilities and other Pacific Northwest entities organized as the Joint Power Planning Council have developed the Hydro Thermal Power Program in order to facilitate the coordination of existing and future thermal and hydro electric resources in the Pacific Northwest. Pursuant to Phase 2 of the Hydro Thermal Power Program (the "Program") statutory preference customers of Bonneville will acquire generating capability from non-federal generating projects to meet the power requirements of such customers. Bonneville has indicated that, subject to any limitations imposed by law, it will furnish transmission, scheduling, load factoring, reserves,

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exchanges and other services available from the Federal Columbia River Power System to enable such customers to integrate their share of such generating capability with power and energy available to them from their electric systems, from Bonneville and other sources.

As a part of said Program and at the request of the Public Power Council, the Washington Public Power Supply System (hereinafter called the "System") has performed preliminary work with respect to the investigation, planning, financing and construction of two nuclear electric generating facilities, one to be known as Washington Public Power Supply System Nuclear Project No. 4 for construction in conjunction with Washington Public Power Supply System Nuclear Project No. 1, and the other to be known as Washington Public Power Supply System Nuclear Project No. 5 for construction in conjunction with Washington Public Power Supply System Nuclear Project No. 3. In accordance with the Program and at the request of the Public Power Council the Supply System has also undertaken the investigation of participation in the Puget Sound Power & Light Company's Skagit Project and studies and investigations to identify feasible power plant sites, preferably in Western Washington or Oregon, in order to prepare for the construction of additional power generating facilities.

In order to further the development of the projects in accordance with the Program, the City proposes to execute with the System an agreement designated "Washington Public Power Supply System Nuclear Project Nos. 4 and 5 and Skagit Project Option and Services Agreement" in the form and content as set forth in the drafts thereof on file with the City, dated March 21, 1975, under which the System grants to the City (called the "option participant" in said agreement) as option to enter the Participant's Agreement, a draft of which is attached to the Option and Services Agreement as Exhibit A, reserves for the City a specified share of the capability of said Projects and agrees to perform certain services including, among other things, the arrangement of the ownership, financing, acquisition and construction of said Projects.

The City, the other statutory customers of Bonneville, and other entities in the Pacific Northwest are negotiating several agreements relating to the Program; and the City Council finds that executing the Option and Services Agreement will enable the City to continue such negotiations in an orderly manner.

In accordance with the Option and Services Agreement, the System proposes to adopt a "development bond resolution" at a later date which resolution provides, among other things, for the issuance of bonds in series or otherwise, and is entitled:

A RESOLUTION PROVIDING A PLAN AND SYSTEM FOR THE ACQUISITION AND CONSTRUCTION BY WASHINGTON PUBLIC POWER SUPPLY SYSTEM OF TWO NUCLEAR GENERATING PLANTS TO BE KNOWN AS WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR PROJECT NO. 4 AND NUCLEAR PROJECT NO. 5; AND PROVIDING FOR THE ISSUANCE OF ONE HUNDRED MILLION DOLLARS

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(\$100,000,000) PRINCIPAL AMOUNT OF REVENUE BONDS TO PROVIDE FUNDS TO PAY A PART OF THE COST OF SUCH ACQUISITION AND CONSTRUCTION AND FOR OTHER CORPORATE PURPOSES OF WASHINGTON PUBLIC POWER SUPPLY SYSTEM.

A draft of such resolution dated March 26, 1975, is on file with the City. The System expects to adopt the Development Bond Resolution in June, 1975, which resolution will be substantially in the form of said draft of such resolution and consistent with the Option and Services Agreement.

The Option and Services Agreement entitles the City ultimately to enter into the Participants' Agreement. The City recognizes that substantial revisions may be made to Sections 15 and 16 relating to Participants' Committees and Project Consultant, respectively. The System proposes to adopt a "Bond Resolution" subsequent to the execution and delivery of the Participants' Agreement, which resolution will provide, among other things, for the issuance of the Bonds (as defined in the Participants' Agreement) in series. A draft of the first Bond Resolution will be submitted to the City prior to its entering into a Participants' Agreement. A summary of the first Bond Resolution, dated March 21, 1975, is on file with the City.

The City Council has reviewed the Option and Services Agreement, the Participants' Agreement and the Resolution and summary above referred to and has considered the alternative means of obtaining power and energy and the environmental, technical and economic factors and studies relevant to this Resolution and now finds that entering into the Option and Services Agreement, among other things, is necessary and advisable in order for the City to meet its prospective needs for power and energy to assist in serving the prospective power and energy needs of its customers in the future in a timely, environmentally and economically sound manner.

THEREFORE, IT IS RESOLVED:

The Mayor and City Clerk are hereby authorized and directed, on behalf of the City, to execute with the Washington Public Power Supply System the Option and Services Agreement above referred to, substantially as set out in the draft thereof on file with the City, dated March 21, 1975, and the deliver copies thereof to the System.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR OF THE CITY OF IDAHO FALLS, IDAHO, THIS 24<sup>th</sup> day of April, 1975.

\_\_\_\_\_  
Mayor

ATTEST: \_\_\_\_\_  
City Clerk

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

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There being no further business, it was moved by Councilman Freeman, seconded by Karst, that the meeting adjourn at 9:45 P.M., carried.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

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