

**JANUARY 23, 1975**

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The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, January 23, 1975, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen, Councilmen Paul Hovey, Norris Gesas, Jim Freeman, Ralph Wood, and Gil Karst. Absent: Councilman Mel Erickson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; John Evans, City Controller; Lee Mundell, Personnel Director, Ernie Craner, Parks & Recreation Director; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Steve Harrison, Electrical Engineer; Don Lloyd, Public Works Director and Chad Stanger, General Service Director.

Minutes of the last recessed regular meeting held January 9<sup>th</sup>, 1975, and a special meeting held January 21, 1975 were read and approved.

Mr. Cliff Brady, Chairman of the board and Mr. Jack Viggers, Executive Director of the Eastern Idaho Special Services, appeared before the Council. Mr. Brady submitted certain printed material drawing attention to the fact that the elderly were not getting their fair share of revenue sharing money. By diagram, he then described the structure of the Eastern Idaho Special Services Organization and the fact that its sphere of responsibility encompassed nine near-by counties described as Region Six.

Mr. Viggers noting that transportation for the elderly has again posed itself as a controversial issue through the news media, informed the Mayor and City Council that one of the funding obligations of the Eastern Idaho Special Services was to provide transportation to the elderly and that this same role also applies to all other eight counties within Region Six. Viggers continued by saying that another one of their responsibilities was to make contact with local governmental entities in a constant and continuous effort to obtain support for their organization, their objectives and their programs and that, in their opinion, the City of Idaho Falls is not doing its share.

Councilman Hovey noted that the City Council had previously requested certain statistical information relative to the agency and, in his opinion, this had never been furnished. He said he was referring to information about the recipients such as who they were, where they were, how many, how old, physical requirements, etc. Mr. Brady then interceded and said these questions could best be answered by an on-the-site inspection and tour of the center. He extended an invitation to the Mayor and all Councilmen to have lunch at the center, mingle with all the elderly participants, tour the area and attend Board meetings. He said that, since 1968, many programs had been initiated to draw the aged out of the woodwork, so to speak, and with good success. Among others, he mentioned the echo program and the mini-bus which he said was already overloaded. Brady continued by saying that over 500 elderly citizens a week eat lunch at the center. In answer to a question by Councilman Karst, Viggers explained that the Senior Citizens Center was created by the Eastern Idaho Special Services. He said that Federal Funds were available for the center through the Old American Act and that the only requirement was to be 60 years of age, although under privileged and handicapped were invited to participate without fee. Karst then asked about the three mini-buses now on order. Viggers answered by saying these would be operated by the Transportation Division of the Eastern Idaho Special Services. In answer to a question by the City Attorney, Viggers advised that Congress lays down the guide-lines for the agency. It was learned that virtually every County within Region Six was participating, as well as several cities. Viggers said Federal Funds don't cover all expenses and illustrated by pointing out that four new programs were initiated last year with no substantial increase in Federal Funding.

There was some general discussion about BCOG's position with the agency. Viggers explained that BCOG, originally, had the option of operating the agency. Viggers said, even now, the Board would look with favor upon the City taking over the operation of the center. He said this should fall into the same category as any other recreational program for full or at least partial subsidizing. Councilman Hovey compared the Center to the Boy Scouts and the Y.M.C.A. Viggers said there was no basis for comparison, inasmuch

as those organizations were not operating by mandate of Congress. Viggers referred to the printed material passed among the Councilmen earlier in this meeting and emphasized the fact that one of the stated objectives of revenue sharing money was to further the Senior Citizen's program. Viggers concluded his remarks by noting that he and his associates had admittedly been guilty of harassing the City Council in this regard. He said this was probably too harsh a term but that continued forcible urging could be expected toward the objective of financial participation on the part of the City to assist the Senior Citizens.

The Mayor thanked Mr. Viggers and Mr. Brady for their appearance and their presentation.

License applications for RESTAURANT, Jay R. Egbert for Wrangler Roast Beef, Marc Fogg for Fogg's Nibble Niche, T. P. Grimmett for Tam's Frost Top, Stanley Kish for Bank-A-Ball, Ted Kubna for Shakey's; ELECTRICAL CONTRACTOR, Rosslyn H. Bidstrup for Jewell Electric, M. J. Hanson for J. H. Electric Co., Bruce A. Wheeler for Wheeler Electric, Erwin Wirkus for Wirkus Electric; JOURNEYMAN ELECTRICIAN, Glen Landon, Rosslyn Bidstrup, Chris Bidstrup, Robert Brown, Ronald Sommercorn, Enock Weber, Allen Millunard, M. J. Hanson, Bruce Wheeler, Erwin Wirkus; APPRENTICE ELECTRICIAN, Karl Wirkus with Wirkus Electric, Paul Wirkus with Wirkus Electric, Neil Scott with Wirkus Electric, Daniel Park with J. H. Electric Co., Val A. Lang with LOC Electric, Earl Danielson with Nelson Electric, Robert James Schriener with Thurman Babbitt Electric, Fred W. Batemen with Skyline Electric, Ray Mortensen with Jewel Electric, Steve Paschke with Electrical Services; MASTER PLUMBER, Wayne Hammond with Bingham Mechanical, Wallace Pendleton with Wally's Plumbing and Heating, Max A. Groom with Modern Plumbing & Heating of Rigby, Idaho; JOURNEYMAN PLUMBER, Earl Carter, Wallace Pendleton, Rex Rolfe, Max Groom, Jamie McNett; REFRIGERATION CONTRACTOR, Darrell Baker for Baker Refrigeration; APPRENTICE PLUMBER, Randy Rolfe with Modern Plumbing & Heating, Brent Hall with Modern Plumbing & Heating, Randy Madsen with Modern Plumbing & Heating; CLASS B CONTRACTOR, WARM AIR, GAS FITTING, REFRIGERATION, Lyman D. Taylor for Taylor's Aire Service; CLASS C CONTRACTOR, WET HEAT, WARM AIR HEATING, Max A. Groom for Modern Plumbing & Heating; CLASS C CONTRACTOR, GAS FITTING, WARM AIR, Richard Wiemer with Wiemer Heating, Norman Godfrey with Valley Sheet Metal; CLASS D CONTRACTOR, REFRIGERATION, Claude Watson with Claude Watson Refrigeration; CLASS B JOURNEYMAN, GAS FITTING, WARM AIR, REFRIGERATION, Lyman Taylor, Rick Butler; CLASS C JOURNEYMAN, GAS FITTING, AND WARM AIR HEATING, Richard Wiemer, Norman Godfrey, J. Clifford Cook; CLASS D JOURNEYMAN FOR GAS FITTING, Earl Carter, Dennis L. Mitchell, Robert James Schairer, Jamie McNett; CLASS D JOURNEYMAN, REFRIGERATION, Ed Madson, Claude Watson, Martel Smith, Darrell Baker; PHOTOGRAPHER, P. K. McKenzie for Charmallary Photographic Industries, R. G. Larsen for Photography by Larsen; PAWN BROKER, Edwin Bukey with Bukey's Village; BILLIARD, Stanley with Bank-A-Ball; TAXI CAB OPERATOR, Michael Campbell, Michael Stearns; BARTENDER, Olivia Seal, Mario Piccirillo, John Hancock, Carolyn Rogers; LIQUOR, Stephen Clark for Matador Lounge, Linus Bowman for Skyway Lounge, S.C. Montague for Starlite Lounge, 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 s follows: Ayes, 5; No, none; carried.

Presented by the City Clerk were these license applications carrying, in each instance, a recommendation that they not be granted: Franklin Ricks and C. Lew Pelot, apprentice electricians, Steve Stoddard, bartender. The City Clerk explained that the apprentice electrician applicants, on their application indicated an employer who was not a licensed electrical contractor within the City. With reference to the bartender applicant, it was further explained that this was recommended for denial because of a police record. It was moved by Councilman Freeman, seconded by Gesas, that these recommendations be upheld and the licenses be denied. Roll call as follows: Ayes, 5; No, none; carried.

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The City Clerk drew attention to the fact that a notice of zoning hearing, to be held February 6<sup>th</sup>, 1975, was being published and, in the interests of time, this was done without formal Council approval. It was moved by Councilman Freeman, seconded by Wood, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk then submitted two damage claims, to-wit:

Denman, Reeves & Ohman  
January 14, 1975

City Clerk  
308 C. Street  
Idaho Falls, Idaho

Dear Mr. Barnes:

Mr. Allan Nations has contacted this office regarding the theft of his St. Bernard dog from the City Pound. Such animal, which has now been recovered by Mr. Nations, was stolen on or about January 11, 1975, while under the care and supervision of City employees who were obviously negligent in the performance of their duties.

In light of the foregoing, and on behalf of Mr. Nations, demand is hereby made that the City release him of any and all charges which might otherwise be assessed for the temporary care of his dog, and further that the City reimburse him for all expenses sustained as a result of the negligent conduct of the City employees. Proof of any such expenses will be provided within the next few days, when received from Mr. Nations.

Your immediate response will be appreciated.  
Have a nice day.

Very truly yours,  
s/ John M. Ohman

John A. (Cat) Thompson  
324 3<sup>rd</sup> Street

City of Idaho Falls, Sewer Department  
City of Idaho Falls, Idaho

On the 16<sup>th</sup> day of January, 1975, personally appeared before me the above named plaintiff, who in answer to questions propounded by me, did state under oath that he believed the following answers to be true:

- Q: How much money do you claim to be owing you by the defendant? A: \$100.00  
Q: When did such money become due? A: January, 1974.  
Q: What is the nature of your claim or how did the defendant become so indebted to you? A: Digging up the sewer in alley at 324 3<sup>rd</sup> Street and cleaning out the roots so that the sewage could drain from the line running into the 324 3<sup>rd</sup> Street property. It is the City's responsibility to keep their sewer line open.

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Q: Do you hold this claim by assignment from the original claimant. A: No.

s/ John (Cat) Thompson

Subscribed and verified before me the date first above written.

s/ Heather W. McGinty  
Deputy Clerk  
District Court

It was explained that on January 15<sup>th</sup> and January 20<sup>th</sup>, respectively, these had been forwarded to the City's liability insurance carrier and that, in the interests of time, this was done without formal Council approval. It was moved by Councilman Karst, seconded by Freeman, that this also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Presented by the City Clerk was a City redemption tax deed, accompanied by this resolution:

**RESOLUTION (Resolution No. 1975-02)**

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 9<sup>th</sup> day of November, 1971, recorded as Instrument No. 424334, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 7 and 8, Block 3, Dwights Addition to the City of Idaho Falls, Idaho.

WHEREAS, PAUL COBBLEY 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 old 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 PAUL COBBLEY a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 23<sup>rd</sup> day of January, 1975.

Approved by the Mayor this 23<sup>rd</sup> day of January, 1975.

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 resolution and the deed. Roll call as follows: Ayes, 5; No, none; carried.

From the Controller and the Personnel Director, this memo was submitted:

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City of Idaho Falls  
January 23, 1975

MEMORANDUM

TO: Mayor S. Eddie Pedersen and City Council  
FROM: John D. Evans, Controller, Lee Mundell, Personnel Director  
SUBJECT: GROUP LIFE-HEALTH AND ACCIDENT INSURANCE BIDS

Attached is a copy of the tabulated bids for the group life insurance coverage opened January 17, 1975. We have reviewed these bids with the fiscal and insurance committees and it is our recommendation that the bid be awarded to the Equitable Life Assurance Society of the U. S. at the following rates:

<u>Life/1000</u>	<u>A D &amp; D</u>		<u>Life/1000</u>	<u>W/O Police A D &amp; D</u>	
	<u>1000</u>	<u>Dep. Life</u>		<u>1000</u>	<u>Dep. Life</u>
.39	.054	1.15	.39	.054	1.15

No bids were received on the health and accident coverage, therefore, we are recommending renewal of our policy with Blue Cross of Idaho on the anniversary date.

s/ John Evans  
Controller

City Controller Evans explained that bids had been requested on group life insurance due to many requests from City employees. He said all bidders were supplied similar forms in language easily understandable to a layman. It was moved by Councilman Karst, seconded by Freeman, that Equitable Assurance be awarded the bid on the group insurance as recommended. Roll call as follows: Ayes, 5; No, none; carried.

It was then moved by Councilman Karst, seconded by Freeman, that the Blue Cross be designated, as recommended, to continue the health and accident coverage for City employees. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Public Works Director was presented and read:

City of Idaho Falls  
January 21, 1975

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, Director  
SUBJECT: SEWER ORDINANCE

There are some minor discrepancies in the sewer ordinance which we feel need to be corrected. These items have been discussed with the Public Works Committee. We would recommend that the City Attorney be authorized to prepare amending sections to this ordinance.

s/ Don  
Donald F. Lloyd



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Section 1. That sealed bids for the purchase of the bonds of the City of Idaho Falls described in the following notice of sale, shall be received up to 7:30 o'clock P.M., M.S.T. on February 20, 1975, and shall be considered at a meeting of the City Council to be held in the City Hall in the City of Idaho Falls at said time.

Section 2. That the City Clerk is hereby instructed to have published in the Post Register, the official newspaper of the City, for three consecutive publications at weekly intervals, with the first of such publications to be not less than twenty-one (21) days prior to the date of sale, a notice in substantially the following form:

NOTICE OF SALE OF  
\$2,677,000 GENERAL OBLIGATION  
LIBRARY BONDS OF  
THE CITY OF IDAHO FALLS, IDAHO

NOTICE IS HEREBY GIVEN by the City Council of the City of Idaho Falls, Bonneville County, Idaho, that said City intends to sell and issue its \$2,677,000 General Obligation Library Bonds and will receive sealed bids therefor up to 7:30 o'clock P.M., M.S.T., on February 20, 1975, at which hour said bids will be opened and considered at a regular public meeting of the Council to be held in the City Hall in the City of Idaho Falls, Idaho.

Said Bonds are dated March 1, 1975 denominations \$1,000 and \$5,000 and mature serially in numerical order on March 1 of each of the years as follows:

<u>YEAR</u>	<u>AMOUNT</u>	<u>YEAR</u>	<u>AMOUNT</u>
1976	\$ 7,000	1986	\$125,000
1977	\$ 15,000	1987	\$150,000
1978	\$ 25,000	1988	\$175,000
1979	\$ 40,000	1989	\$200,000
1980	\$ 50,000	1990	\$230,000
1981	\$ 60,000	1991	\$250,000
1982	\$ 70,000	1992	\$275,000
1983	\$ 80,000	1993	\$300,000
1984	\$ 90,000	1994	\$225,000
1985	\$110,000	1995	\$200,000

PRIOR REDEMPTION: The bonds maturing in the years 1986 and 1995, inclusive, will be callable for redemption in inverse numerical order at the option of the City on March 1, 1985, and on any interest payment date thereafter at the price of par and accrued interest to the date fixed for redemption, plus a premium (expressed as a percentage of the principal amount of each bond so called for redemption) of two percent (2%) for each bond so called for redemption on or prior to September 1, 1987, a premium of one and one-half percent (1-1/2%) for each bond so called for redemption thereafter and on or prior to September 1, 1991, and a premium of one percent (1%) for each bond so called for redemption thereafter and prior to maturity.

**INTEREST RATES:** The bonds may bear interest at not more than five different rates expressed in multiples of one-eighth or one twentieth of 1% and all bonds of the same maturity shall bear a single rate of interest. There must not be more than a two percent (2%) difference between the highest and lowest rates specified in any bid. Only one coupon will be attached to each bond for each installment of interest thereon. A zero rate cannot be named for all or any part of the time from the date of any bond to its stated maturity and the premium, if any, must be paid in the funds specified for the payment of the bonds as part of the purchase price. Interest will be payable March 1, 1976, and semi-annually thereafter at a rate or rates not exceeding seven and one-half percent (7-1/2%) per annum, to be fixed at the time the bonds are sold.

**SECURITY:** The bonds will be full general obligations of the City, payable from taxes to be levied without limitation as to rate or amount.

**PLACE OF PAYMENT:** The bonds are payable in lawful money of the United States of America at the Idaho First National Bank, in the City of Idaho Falls, Idaho.

**FORM OF BID:** Bids shall specify (a) the lowest rate of interest and premium, if any, above par at which the bidder will purchase such bonds or (b) the lowest rate of interest at which said bidder will purchase such bonds at par. The bonds will not be sold for less than par and accrued interest to the date of delivery. Each bid must be in writing for all the bonds herein offered for sale and, together with the bidder's check or cash deposit, must be enclosed in a sealed envelope marked on the outside, "Proposals for Bonds" and addressed to the City Council of Idaho Falls, Idaho. For information purposes only, the bidders are requested to state in their bids the net effective interest rate represented by the rates of interest specified in each bid, interest to be figured from the date of the bonds to their maturity.

**BID CHECK:** Each bidder, except the State of Idaho or its Department of Finance, must accompany his bid with a cashier's check or a certified check in the amount of five percent (5%) of the amount of such bid, made payable to the City of Idaho Falls, or by a cash deposit in like amount, which check or deposit will be returned to the bidder if his bid is not accepted. The check or deposit of the successful bidder will be forfeited to the City if the bidder shall fail, neglect or refuse to accept the bonds and to complete and pay therefor in accordance with the terms of his bid within thirty (30) days following its acceptance.

**SALE RESERVATIONS:** The City Council reserves the right to (1) waive any irregularity or informality in any bid; (2) reject any and all bids for the bonds; and (3) re-advertise said bonds for sale until said bonds have been sold as provided by law.

**LEGAL OPINION:** The unqualified approving opinion of Chapman and Cutler covering the legality of the bonds will be furnished without cost to the purchasers. There will also be furnished the usual closing certificates, dates as of date of deliver and payment for the bonds, including a statement that there is no litigation pending or, to the knowledge of the signer thereof, threatened, affecting the validity of the bonds.

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MANNER AND TIME OF DELIVERY: The purchasers will give at least seven business days advance notice of the proposed date of the delivery of the bonds when that date has been tentatively determined. It is now estimated that the bonds will be delivered on or about March 31, 1975. The City will supply the printed bonds. Delivery of the bonds will be made in Idaho Falls, Idaho, except that the successful bidder may at his option and expense designate some other place of delivery. The successful bidder must also agree to pay for the bonds in federal funds which will be immediately available to the City of Idaho Falls, Idaho, on the date of delivery.

AWARD: Award or rejection of bids will be made on the date above stated for receipt of bids and the checks of the unsuccessful bidders will be returned immediately. The City Council will sell such bonds to the highest bidder making the best bid therefor, which bid will be considered that of a responsible bidder submitting the bid which results in the lowest net interest cost to the City.

TAX EXEMPT STATUS: In the opinion of bond counsel, interest on these bonds is exempt from Federal Income Taxes under presently existing law, regulations, decisions, and interpretations. The purchaser will not be required to take up and pay for the bonds if at the time of delivery there has been any Federal legislation, decisions, or regulations which would affect the tax exemption on all or any part of the interest on these bonds.

ADDITIONAL INFORMATION: Complete financial information and other information pertinent to said bonds may be obtained from the undersigned City Clerk at the City Hall in Idaho Falls, Idaho, or from the Idaho First National Bank, Municipal Financing Department, P. O. Box 7009, Boise, Idaho 83727.

By order of the City Council of the City of Idaho Falls, Idaho.

Dated this 23<sup>rd</sup> day of January, 1975.

s/ S. Eddie Pedersen  
MAYOR

ATTEST:  
s/ Roy C. Barnes  
CITY CLERK

Section 3. That the City Clerk is hereby instructed to mail a copy of the foregoing notice to the State Auditor, at Boise, Idaho, at least fifteen (15) days prior to the time fixed for the sale of the bonds.

Adopted and approved January 23<sup>rd</sup>, 1975.

s/ S. Eddie Pedersen  
MAYOR

ATTEST:  
s/ Roy C. Barnes  
CITY CLERK

**JANUARY 23, 1975**

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Councilman Karst reported on a recent meeting with the County Commissioners, one of the principal issues for discussion being a joint jail and law enforcement facility. Karst said that, as a result of said meeting, it was mutually and unanimously agreed to formalize joint support for said facility. It was moved by Councilman Karst, seconded by Freeman, that the Mayor and City Council go on record as approving a development plan for a joint jail and law enforcement facility, together with Bonneville County, to determine the overall needs and site location and that the City of Idaho Falls agree to equally share the costs of said plan with the County, including the hiring of a consultant not to exceed \$20,000 as the City's share. Roll call as follows: Ayes, 5; No, none; carried.

Karst then noted that the Council had previously created and established a revenue sharing trust fund. He said that the word trust is, for all practical purposes, a misnomer. It was moved by Councilman Karst, seconded by Freeman, that the City Attorney be directed to prepare an appropriate Resolution that would create a Revenue Sharing Fund and that said Resolution then be presented for Council consideration. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Hovey, that the meeting adjourn at 8:30 p.m., carried.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ S. Eddie Pedersen  
MAYOR