

OCTOBER 10, 1974

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, October 10, 1974, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen, Councilmen Norris Gesas, Jim Freeman, Ralph Wood, Gil Karst, Paul Hovey. Absent: Councilman Mel Erickson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; John Evans, City Controller; Don Lloyd, Public Works Director; Robert Pollock, Police Chief; Steve Harrison, Electrical Engineer; Rod Gilchrist, City Planner; Chad Stanger, General Services Director; Lee Mundell, Personnel Director; Ernie Craner, Parks & Recreation Director.

Minutes of the last recessed regular meeting, held September 26th, 1974, were read and approved.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to consider a re-zoning petition from Reese Casperson as more fully explained by this memo from the City Planner:

Bonn Council of Gov.
October 10, 1974

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REZONING - ELG ADDITION, BLOCK C

Attached is a petition requesting the rezoning of the above described property. The majority of this block is occupied by the old Highland Nursery and is presently zone C-1. The petitioner had requested this property be rezoned to R-3A to accommodate the construction of an apartment house complex. The Planning Commission, at their regular meeting in September, considered this request and at that time recommended approval of the request. They further recommended that the remainder of the block which is now zoned C-1 be rezoned to R-3A. All property owners involved have been notified and no objections have been filed with this office.

This matter is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

There were no protests. It was moved by Councilman Wood, seconded by Karst, that this rezoning request be granted, as indicated in the foregoing memo, and the Building Official be instructed to incorporate said rezoning on the official zoning map, located in his office. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor asked John Evans, City Controller, to escort Wes Skow, retiring Purchasing Agent, to the Council Table. The Mayor complimented Mr. Skow on his 13 years and 10 months of service with the City, the last eleven of which was served in the capacity as Purchasing Agent. The Mayor commended Mr. Skow for his dedication and his impartiality in the expenditure of public money and, otherwise, the performance of his duties during that time. After wishing him well during his retirement years, the Mayor presented Mr. Skow with an inscribed billfold as a token of appreciation from the City after which he received a congratulatory handshake from all City Officials around the Council Table.

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The Mayor then invited Mr. Ernie Craner, Parks & Recreation Director, to escort Mr. Delbert Stanger to the Council Table. The Mayor noted that Mr. Stanger, another City employee retiree, had been employed by the Cemetery Department where he excelled as a backhoe operator. The Mayor expressed pride for the manner in which the City owned Cemeteries were maintained and that this was only made possible by the dedicated personnel such as Mr. Stanger. The Mayor wished Mr. Stanger well during his retiring years and presented him with an inscribed billfold after which Mr. Stanger received a congratulatory handshake from all City Officials around the Council Table.

Bills for the month of September, having been properly audited by the Fiscal Committee, were presented. The City Clerk was asked to read aloud all fund totals for salaries, materials, and services, as follows:

<u>FUND</u>	<u>SERVICE AND MATERIALS</u>	<u>GROSS PAYROLL</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$108,801.28	173,439.72	\$282,241.00
Street Fund	\$13,394.46	13,103.15	\$26,497.61
Airport Fund	\$2,125.82	5,001.33	\$7,127.15
Water & Sewer Fund	\$119,334.29	26,083.25	\$145,417.54
Electric Light Fund	\$327,168.27	44,441.95	\$371,610.22
Fire	\$12,512.91	63,017.19	\$73,530.10
Recreation	\$3,065.17	3,579.07	\$6,644.24
Capital Improvement	\$45,895.41	.00	\$45,895.41
Police Retirement	\$8,582.00	3,872.26	\$12,454.26
TOTAL FUNDS	\$640,879.61	332,537.92	\$973,417.53

Councilman Karst explained all major expenditures. It was moved by Councilman Karst, seconded by Freeman, that the bills be allowed and the Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 5; No, none; carried.

Reports from Division and Department Heads were presented for the month of September, 1974, and, there being no questions nor objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for GROCERY STORE, Vernita Geench for Circle K #084; JOURNEYMAN PLUMBER, Edward Clovis; APPRENTICE ELECTRICIAN, Alden Stake, Phil Oaks, Ted Taylor; CLASS C JOURNEYMAN, GAS FITTER, WARM AIR, Joe Scheer; CLASS D JOURNEYMAN, GAS FITTER, Arelo Coleman; CLASS C APPRENTICE, GAS FITTER, Jim Samargis; AUCTIONEER, Mathew Clawson; PRIVATE PATROLMAN, Laurel Eslinger, Brenda Pfost, Richard Riggs, Wesley Alfred Dustin; BARTENDER Kery Secrist, Arthur Herrera, Stephen Herrbach, Connie Hutchison, Jack Jensen, Dan Peterson, Jean Hansen, Linda Johnston, Ronald Bragshaw, Bruce Didesch, Shirla Herrera, Dick Beasley; BEER (canned and bottled, not to be consumed on the premises), Venita Bunch for Circle K #084, were presented. It was moved by Councilman Wood, seconded by Freeman, that these licenses be granted, subject to final approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 5; No, none; carried.

This damage claim was presented:

October 1, 1974

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

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RE: CARL BOCK INJURIES

Gentlemen:

Carl B. Bock, 206 Wadsworth Drive, Idaho Falls, Idaho, hereby makes claim against the City of Idaho Falls, Idaho, pursuant to Idaho Code Section 6-907 and represents as follows:

1. Claimant Carl B. Bock is now and has been a resident of Bonneville County, Idaho, for a period of six months immediately prior to the date this claim arose August 14, 1974.
2. Claim is hereby made against the City of Idaho Falls for its negligence in permitting a steel pipe to extend up out of the sidewalk located on City property in front of Snake River Equipment Co., 455 River Parkway, Idaho Falls, Idaho, on which claimant tripped over and by reason of said steel pipe protruding from the sidewalk to height of approximately three inches, Claimant has received broken arm and broken wrist, severe injuries including strain and injury to bones, muscles, tissues, nerves and ligaments of his back, spine, neck, and head and received other injuries resulting in severe pain and suffering, permanent injury and disability and by reason of claimant's elderly age has resulted in loss of use and mobility.
3. By reason of the above negligence of the City of Idaho Falls permitting said pipe to protrude from the sidewalk, Claimant was compelled to seek medical treatment and was hospitalized in the Community Hospital for seven days for the injuries caused as represented above and was otherwise required to incur medical and related expenses by reason thereof.
4. By reason of the above negligence on which this claim is based Claimant seeks damages for loss of wages, medical and related expenses incurred, pain and suffering and demands the sum of \$25,000.00 damages.

You are requested to refer all future communications and/or inquiries relative to this matter to Larry M. Boyle of the firm of Hansen & Boyle, Idaho Falls, Idaho, attorneys for Claimant.

Yours very truly,
s/ Carl B. Bock

The City Clerk explained that, in the interests of time, this had been forwarded to the City Insurance Adjuster for early investigation on October 4th, 1974. It was moved by Councilman Karst, seconded by Freeman, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk then explained that, on October 1st, 1974, the Mayor and City Clerk had signed a five year lease between the City and Kent C. Ward for certain lands legally described as follows:

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Beginning at a point that is south 88°18'24" west 1027.00 feet from the NE corner of Section 16, Township 2 North, Range 38 East, Boise Meridian, and running thence South 0°14'14" West 257.08 feet; thence South 89°45'46" East 140 feet; thence South 1°14'14" West 437.38 feet; thence West 430.89 feet to the West line of the NE 1/4 NE 1/4 of said Section 16; thence North 0°24'06" East 685.32 feet to the North line of said Section 16; thence North 88°18'24" East 289.12 feet along said North line to the point of beginning, containing 6.00 acres, more or less.

It was moved by Councilman Freeman, seconded Karst, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried,

Presented by the City Clerk was a 10 year rider to U.P. Railroad contract agreement, L.D. #19664 covering a power line crossing and encroachment serving a portion of West Broadway from the railroad tracks to the underpass. It was moved by Councilman Hovey, seconded by Gesas, that this 10 year extension rider be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

From Public Works Director Lloyd, this memo was presented and reviewed:

City of Idaho Falls
October 2, 1974

MEMORANDUM

TO: Honorable Mayor Pedersen
FROM: Donald F. Lloyd, Director
SUBJECT: WEED CONTROL

As per our conversation earlier this week, I am suggesting an in-depth review of the weed situation and a positive program for 1975. I feel this can best be accompanied by a meeting scheduled for 9 a.m. on Wednesday, October 23, to be held in the Council Chambers, and should include the Street Superintendent, Parks Superintendent, Sanitation Superintendent, Fire Marshall, County Agent, Councilmen interested in a weed program and any others who would have an interest in the meeting. The purpose of the meeting should be to review the accomplishments and short comings of the past and develop a single coordinated program for 1975.

If you agree with this proposal we would be pleased to send out the invitations to those individuals you feel should attend.

s/ Don

The Mayor gave his approval to the meeting as indicated and complimented Mr. Lloyd on the weed program generally, and more specifically, his foresight for attacking this annual problem from a long range viewpoint. He explained to the Councilmen, with general concurrence, that this would not require Council action at this time but that he requested this memo to be placed on the agenda so that all interested parties would be appraised of this long range program.

From the Director of Aviation and the Airport Council Committee, this memo was submitted:

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City of Idaho Falls
October 9, 1974

MEMORANDUM

TO: Mayor/City Council
FROM: Airport Committee
SUBJECT: AIRPORT DEVELOPMENT PROJECT – LAND AND RESIDENCE PURCHASE

The accomplishment of the present Federal and State aid local airport project requires that the subject purchases be in accordance with Public Law 91-646 (Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970) as administered by the Federal Aviation Administration.

The conditions of this Act necessitates that the City arrange through contract, or agreement, the following:

1. An M.I.A. certified appraiser – previously contracted for (D.V. Groberg).
2. Persons or agency qualified to furnish an appraisal review.
3. An FAA approval Relocation Plan.
4. A separate negotiator(s) – other than the appraiser – to deal with the resider-property owners.

Following meetings with the FAA, City personnel and other officials herein mentioned, an operational plan has evolved. We believe this modus operandi to be both the most economical and expeditious for the City under the circumstances, and obviates the necessity of obtaining the services of out of the area commercial firms.

Item 2 – to be accomplished by qualified employees of the Idaho Department of Transportation on a cost reimbursable basis. This assistance has been proffered.

Items 3 & 4 – to be handled by employees of the Idaho Falls Community Redevelopment Commission on a cost reimbursable basis. The services of these employees has been proffered.

These items and services to be coordinated through the City airport and fiscal officials.

The Airport Committee recommends that the City Council authorize the Mayor, City Attorney, and Clerk to consummate the necessary agreements with the Idaho Department of Transportation (Item 2) and the Idaho Falls Community Redevelopment Commission (Item 3 & 4) for the performance of these required services on this project.

s/ H.P. Hill

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It was moved by Councilman Wood, seconded by Gesas, that all recommendations contained in said memo be approved as indicated. Roll call as follows: Ayes, 4; No, one; carried. Councilman Hovey voting no.

Several traffic recommendations were submitted to the Council through this memo, signed by the Police Chief as Chairman of the Traffic Safety Committee:

City of Idaho Falls
October 9, 1974

MEMORANDUM

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: City Traffic Safety Committee
SUBJECT: TRAFFIC RECOMMENDATIONS

The following recommendations are submitted for your consideration.

1. In reply to the referral to two petitions to the Traffic Safety Committee for traffic signals, one on Boulevard at 8th Street and the other on 17th Street at St. Clair, our recommendations should be postponed until such time as the City Traffic Engineer be authorized to furnish a traffic count for the Committee to evaluate.

The Traffic Safety Committee did suggest more adequate signing, to denote the school crossing on Boulevard at 7th be accomplished as soon as possible to further the protection of the children. This will be done by sign crew as per City Traffic Engineer.

2. Approval of a bicycle route; Starting on Rollandet at Rogers Street running north to 21st Street, then east to Calkins, south to Tautphaus Drive, east to Boulevard, south to Rogers Street, then west to Rollandet, the point of beginning.

Also: Approval of bicycle route; Starting on 21st Street at Cemetery Drive running northerly on to Calkins and on Calkins to 14th Street, west to Curtis Avenue, northerly on Curtis continuing on Eastern Avenue to Maple Street, then west on Cliff Street to Capital Avenue, then north to Broadway to termination.

3. Denial of petition requesting 35 MPH on Rollandet in place of the present 25 MPH from Sunnyside Road to 21st Street. (This is due to proposed bicycle route with path adjacent to Rollandet from Rogers Street where a narrow bridge must be crossed by the bicycle riders, along with the many exists and/or entrances in the area).
4. Denial of a request for 15 MPH in the John Heights Addition (north of Grandview and west of Skyline). Traffic Safety is in accord with a 25 MPH and is making study for sign placement.
5. Denial of a painted crosswalk between the BLM Offices located on the south side of Lincoln Street and the BLM warehouse on the north side.

6. Approval of a Load-Unload zone on "C" Street in front of the Salvation Army Store.
7. Removal of one parking space between the corner and a driveway on the north side of 9th Street immediately east of Holmes Avenue. (This to give room for two lanes of vehicles for both left and right turn movement. Also during ice conditions braking vehicle slide into the north curb).

Respectfully submitted,
s/ Robert D. Pollock
Traffic Safety Committee

Preparatory to considering the first recommendation, Mr. Turner, Traffic Engineer, was asked for a report. He said that school zone signs had been re-installed at 7th and Boulevard, adding that a long range study was being made of speed limits all along Boulevard from Yellowstone to 17th. He said that, except for spot signing, the speed limit along that arterial was 35 MPH. The Police Chief appeared briefly to say that this had also been the subject by the Traffic Safety Committee. He said that, in their opinion, a spotted speed zone is not the answer nor a satisfactory solution. It was moved by Councilman Freeman, seconded by Wood, that action on these petitions be tabled for the reason indicated. Roll call as follows: Ayes, 5; No, none; carried.

The second recommendation was then studied. It was explained by Turner that, where streets were involved, said streets would be signed and designated as a bike route. It was moved by Councilman Gesas, seconded by Freeman, that these bike routes be approved with the understanding that, at a late date, on such routes as Rogers Street, it was not inconceivable that the route might be converted to a path by subsequent Council resolution. Roll call as follows: Ayes, 5; No, none; carried.

The No. 3 recommendation was then considered. It was moved by Councilman Freeman, seconded by Karst, that this petition for 35 MPH on Rollandet be denied for the reason as stated. Roll call as follows: Ayes, 5; No, none; carried.

With reference to the No. 4 recommendation, it was moved by Councilman Wood, seconded by Hovey, that this request for 15 MPH in the John Heights Addition, north of Grandview and west of Skyline be denied. Roll call as follows: Ayes, 5; No, none; carried.

It was moved by Councilman Wood, seconded by Freeman, that a request for a painted crosswalk between the BLM offices located on the south side of Lincoln Street and the BLM warehouse on the north side be denied. Roll call as follows: Ayes, 5; No, none; carried.

Recommendation No. 6 was then studied. In answer to a question by Councilman Karst, the Police Chief reported that there was no space nor facility for loading or unloading in the alley immediately behind the Salvation Army Store on "C" Street. There was still some question in the minds of certain Councilmen in this regard. It was moved by Councilman Wood, seconded by Freeman, that this loading-unloading zone be permitted. Roll call as follows: Ayes, Councilmen Hovey, Freeman and Wood; No, Councilmen Karst and Gesas; carried.

Finally, recommendation No. 7 was considered. It was moved by Councilman Wood, seconded by Hovey, that this one parking space be removed for the reasons as stated. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Freeman reported that bids had been received October 1st on a sprinkling system for Tautphaus Park, as follows:

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Biggers Construction Co.	Idaho Falls	\$31,490
		74,860
		58,900
Early Bird Sprinkler Co.	Rexburg, Idaho	25,698
		46,598
		47,599
Idaho Lawn Sprinkler Co.	American Falls, Idaho	33,145
		No bid
		57,125
Kesler Co.	Sandy, Utah	30,374
		44,683
		No bid

Freeman explained that, in each instance, the first figure represented a bid for a quick coupler system; the second, for an automatic controlled system with central control valves; the third, for an automatic controlled system with control valves at each sprinkler head. Freeman presented and read aloud this advisory letter from Consulting Engineers Forsgren, Perkins and Associates:

Forsgren, Perkins and Assoc.
Rexburg, Idaho
October 8, 1974

Mr. Joseph A. Laird
City Engineer
City of Idaho Falls
308 C. Street
Idaho Falls, Idaho

Subject: Tautphaus Park Sprinkler System

Dear Joe:

I am enclosing herewith the bids as received for the above job and ten copies of the bid summary. We have the following comments:

1. The proposal submitted by Kesler Company did not include a breakdown of bids as was required.
2. The total of the items in the breakdown of bids as submitted by Early Bird Sprinkler Company is significantly less than the lump sum amount in the proposal for each alternate.
3. The proposal from Early Bird Sprinkler Company includes a "rock clause" and a "tree clause", stipulating a possible cost not provided for in the specifications.
4. The proposals from Biggers Construction Company and from Idaho Lawn Sprinkler seem to be in order.

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Your decision as to who is the lowest acceptable bidder will depend upon whether the bids from Early Bird Sprinkler and from Kesler Company are considered acceptable.

Yours very truly,
s/ Larry V. Perkins

It was moved by Councilman Freeman, seconded by Karst, that the Biggers Construction Company quick coupler bid in the amount of \$31,490 be accepted. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that one of the purposes of the meeting was the canvass of the returns of the Special Bond Election held in the City on October 8, 1974, pursuant to the provisions of Ordinance Number 1391 adopted on August 22, 1974.

The City Clerk then presented to the Council the returns of the election on the proposition from each voting place, the ballots cast at the election and all other pertinent data. The City Council thereupon proceeded to canvass the results of said election and to incorporate their findings and determination into the form of the following resolution, which was introduced in written form by Councilman Karst, was read in full, and pursuant to motion made by Councilman Karst and seconded by Councilman Freeman, was adopted by the following vote: Ayes, 5; No, none; carried.

The resolution was thereupon signed by the Mayor, attested by the City Clerk, was ordered recorded and is as follows:

(Resolution No. 1974-26)

A RESOLUTION canvassing the results of an election held in the City of Idaho Falls on October 8, 1974, on the authorization of \$2,677,000 General Obligation Library Bonds of said City, and determining the results of said election.

WHEREAS, on August 22, 1974, the City Council of the City of Idaho Falls adopted Ordinance Number 1391 calling an election to be held in said City on October 8, 1974, for the purpose of submitting to the electors of the City, qualified to vote thereon the proposition hereinafter set out; and

WHEREAS, said election has been duly held pursuant to the provisions of said ordinance and to the provisions of the Constitution and laws of Idaho, and the results thereof have been canvassed by the City Council and a complete investigation has been made by the Council as to the manner in which said election was held and as to the regularity thereof;

NOW, THEREFORE, be it resolved by the Mayor and Council of the City of Idaho Falls, Bonneville County, Idaho, as follows:

Section 1. That a special election was held in the City of Idaho Falls on October 8, 1974, at which election there was submitted to the qualified electors of said City the following question:

QUESTION: Shall the City of Idaho Falls, Idaho, issue and sell its negotiable coupon general obligation bonds to the amount of \$2,677,000 for the purpose of providing funds with which to purchase, erect, construct and furnish City public library facilities, for said City, as more fully provided in Ordinance Number 1391 adopted on August 22, 1974?

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Section 2. That notice of the calling of said election was duly and legally given by the publication of an appropriate notice in the Post-Register, a newspaper published and having general circulation in the City of Idaho Falls, on September 8th, September 15th, September 22nd, September 29th, and October 6th, 1974, such publication having been made once a week on the same day of each of five successive weeks, with the first publication being not less than thirty (30) days prior to the date fixed for election.

Section 3. That the polls at said election were opened at 12:00 o'clock noon and remained open continuously and closed at the hour of 8:00 o'clock P.M. at the voting places specified in Section 6 hereof.

Section 4. That only persons who were, on said October 8, 1974, qualified electors of the City of Idaho Falls eighteen (18) years of age or older and properly registered and possessing the qualifications of residents were permitted to vote at said election, and that no person qualified to vote at said election was refused the right to vote at the election.

Section 5. That the ballots used at said election were in the form prescribed by law and by said Ordinance Number 1391.

Section 6. That the results of the election on said proposition were, and are hereby formally found and determined to be as follows:

Polling Place	No. of Votes In Favor	No. of Votes Against	No. of Ballots Mutilated
A. H. Bush Elementary School	56	37	
Highland Park Log Hut	76	83	
Riverside Elementary School	65	44	
Veterans Memorial Building	33	12	
Temple View Elementary School	324	98	1
O.E. Bell Jr. High School	192	86	
Hawthorne Elementary School	92	101	
Longfellow Elementary School	377	146	
Linden Park Elementary School	252	110	
Theresa Bunker Elementary School	199	114	
Pinecrest Golf Course Club House	90	60	
Dora Erickson Elementary School	199	105	1
Emerson Elementary School	228	99	1
Idaho Falls Sr. High School	225	116	
Edgemont Gardens Elementary Sch	358	100	
Ethel Boyes Elementary School	297	59	
TOTAL	3,063	1,370	3

Section 7. That it is hereby found, determined and declared that said proposition on the issuance of \$2,677,000 bonds for library purposes carried by a majority of more than two-thirds of the qualified electors of the City voting at the election on said bonds.

It is further found and declared that said election was in all things held and conducted in strict compliance with law, and that the City Council is authorized to proceed with the authorization of the bonds specified in said proposition.

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Adopted and approved October 10, 1974.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

There being no further business, it was moved by Councilman Freeman, seconded by Gesas, that the meeting adjourn at 9:10 P.M. Carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor
