

**AUGUST 8, 1974**

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The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, August 8, 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 Mel Erickson, Ralph Wood, Paul Hovey, and Norris Gesas. Absent: Councilmen Gil Karst and Jim Freeman, Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Lorna Coughlin, City Treasurer; Les Corcoran, Fire Chief; Robert Pollock, Police Chief; Don Lloyd, Public Works Director; Steve Harrison, Electrical Engineer. Minutes of the last recessed regular meeting, held July 25<sup>th</sup>, 1974, were read and approved.

Noting that this was the eve of President Nixon's resignation, Mayor Pedersen opened the meeting with a few words to the effect that, in his opinion, this was an hour of national tragedy, culminating months of infamy which, he hoped might be at an end by this turn of events, as the Nation approaches its 200<sup>th</sup> year anniversary. He said that, tragic as all of this might appear, it is a supreme test of the democratic system that it can be accomplished peaceably and honorably. The Mayor continued by saying that it would now behoove all to pray for regained confidence. He said that, in this connection, he regretted that Vice-President Ford would be unable to soon visit this City as originally planned. The Mayor concluded his remarks by saying that he, personally, was proud to be a part of Government at the local level and that there should now be renewed incentive by public governmental officials to provide maximum service to all citizens as pledged when their oath of office was taken.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to hear and consider all objections to the L.I.D. #48 Assessment Roll of any party aggrieved by said assessments. The Mayor invited Councilman Gesas, as Chairman of the Public Works Committee, to conduct the hearing. In answer to a question by Gesas, the City Clerk reported that there were no written protests. Also, in answer to a question by Gesas, the City Attorney explained that the purpose of this hearing was to hear protests relative to possible mistakes made on the Assessment Roll such as the manner in which the assessment was calculated. Also, continued the City Attorney, there might be valid grounds for protest if there was an error in boundaries of any lands subject to assessment.

Mrs. Mary McMurtrey, owner of the State Hardware Building, appeared before the Council and questioned the manner in which her assessment was computed, particularly on end costs. This was explained by project engineer Ed Turner. She then drew attention to certain tile in the basement, broken during the preliminary shoring process. She was assured this would be replaced. Finally, Mrs. McMurtrey noted that the beautification plans call for a tree in front of her property. She said she would prefer a Pfizer shrub. Gesas said this would be taken under advisement.

In the absence of further comment, Councilman Gesas introduced the following resolution in writing, and moved its adoption:

**(Resolution No. 1974-23)**

RESOLUTION REJECTING, OVERRULING AND DENYING ALL OBJECTIONS TO ASSESSMENT ROLL IN LOCAL IMPROVEMENT DISTRICT NO. 48 AND APPROVING AND CONFIRMING SAID ASSESSMENT ROLL.

“WHEREAS, the City Engineer and Committee on Streets have heretofore made out and certified to the City Council as provided by law an Assessment Roll of Local Improvement District No. 48, and

WHEREAS, on July 11, 1974, the City Council fixed the time and place when and where objections to Assessment Roll by the property owners of said District would be heard,

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to-wit: Thursday, the 8<sup>th</sup> day of August, 1974, at 7:30 P. M. of said day at the Council Chambers in the City Building at Idaho Falls, Idaho, and

WHEREAS, notice was duly and regularly given as provided by law, by the Clerk, of the time to file objections to said Assessment Roll, and

WHEREAS, no objections to said Assessment Roll were filed,

NOW THEREFORE, BE IT RESOLVED that the Assessment Roll in Local Improvement District No. 48, and each and every item therein, and the whole thereof, be, and the same hereby is, in all respects approved, ratified and confirmed.”

Councilman Erickson seconded the adoption of said Resolution, and the same, being put to a vote, was unanimously carried by the affirmative vote of all Councilmen present, the vote being as follows: Ayes, 4; No, none; carried.

Bills for the month of July, 1974, 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:

<b>FUND</b>	<b>SERVICES &amp; MATERIALS</b>	<b>GROSS PAYROLL</b>	<b>TOTAL EXPENDITURES</b>
General Fund	\$144,558.59	\$177,685.60	\$322,244.19
Street Fund	92,012.14	15,773.72	107,785.86
Airport Fund	2,732.14	5,801.14	8,533.53
Water and Sewer Fund	86,988.24	28,187.14	115,175.38
Electric Light Fund	94,937.88	45,034.15	139,972.01
Fire Fund	11,709.84	63,022.18	74,732.02
Recreation Fund	3,868.66	13,967.93	17,836.59
Police Retirement	.00	3,713.99	3,713.99
<b>TOTAL FUNDS</b>	<b>\$436,807.74</b>	<b>\$353,185.83</b>	<b>\$789,993.57</b>

Councilman Hovey explained all major expenditures. It was moved by Councilman Hovey, seconded by Wood, 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, 4; No, none; carried.

Reports from Division and Department Heads were presented for the month of July, 1974, and there being no objection, were ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT, Joe Bell for Rodeo Grounds, 10<sup>th</sup> LDS Ward; JOURNEYMAN ELECTRICIAN, G. C. Bird, William O. Webb; APPRENTICE ELECTRICIAN, David L. Green with Capitol Electric, Eugene Dale Williams with Capitol Electric, Todd Bird with Electrical Services, Brian Bird with Electrical Services; CLASS D JOURNEYMAN, WARM AIR, Lowell E. Barnes, Neal Campbell; AUCTIONEER, Col. Leib Rosenblum; BARTENDER, Janae Kemp, Carolyn Robison, Larry L. McCormick, Ray Leen Corbit, Glenda Bates, Norman D. Harper, Linda K. Van Leuven, Dolores A. Clark, Lela Soelberg, Jon Jones, Anna Cavanagh were presented. It was moved by Councilman Erickson, seconded by Wood, that these licenses be granted, subject to the approval of the appropriate Division Director where required. Roll call as follows: Ayes, 4; No, none; carried.

Through the City Clerk, the City Controller reported that, in the interests of time, he had recently published, without formal Council approval, the General Revenue Sharing Actual Use

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Report covering the period from July 1<sup>st</sup>, 1973, to June 30, 1974. It was moved by Councilman Hovey, seconded by Gesas, that this action be duly ratified. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the Purchasing Department was presented:

City of Idaho Falls  
July 31, 1974

Coal (City and School)

Honorable Mayor and Councilmembers:

The Purchasing Department requests approval to advertise for joint bids with School District 91 for coal for the winter months of 1974 and 1975.

s/ W. J. Skow  
Purchasing Department

It was moved by Councilman Erickson, seconded by Hovey, that authorization be granted to advertise for bids, jointly, with School District No. 91, for coal for the period as indicated. Roll call as follows: Ayes, 4; No, none; carried.

A second memo from the Purchasing Department was submitted, as follows:

City of Idaho Falls  
July 31, 1974

Backhoe-Loader Tractor Combination

Honorable Mayor and Councilmembers:

Tabulation of bids received for one new 1974 backhoe-loader tractor combination is attached.

Evaluation of bids received show Case Power & Equipment, Idaho Falls submitting a bid for \$10,847.00 with trade-in.

It is the recommendation of the Purchasing Department that the above bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow  
Purchasing Department

It was moved by Councilman Erickson, seconded by Hovey, that the bid from Case Power & Equipment Company be accepted for the equipment as described. Roll call as follows: Ayes, 4; No, none; carried.

Presented by the City Clerk was a 10 year extension rider to U. P. Contract, L. D. No. 19541, covering a power line encroachment serving the traffic detector at the D. Street underpass. It was moved by Councilman Hovey, seconded by Gesas, that this extension rider be accepted and the

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Mayor and City Clerk be authorized to sign, subject to final approval by the City Attorney. Roll call as follows: Ayes, 4; No, none; carried.

Next to be presented from the U. P. Railroad was an addendum to Contract L. D. No. 8800 which provided for an electric power line crossing serving the downtown area south of Broadway and east of Capital. It was noted that said addendum increased the electric current potential from 110 to 12,500 volts. It was moved by Councilman Hovey, seconded by Gesas, that this addendum be approved and the Mayor and City Clerk be authorized to sign, subject to final approval by the City Attorney. Roll call as follows: Ayes, 4; No, none; carried.

Finally, an original U. P. Contract was presented, L. D. No. 22865, covering three power line crossings on Capital Avenue, south of Broadway. It was moved by Councilman Hovey, seconded by Gesas, that this Contract 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, 4; No, none; carried.

From the Public Works Director, this memo was presented:

City of Idaho Falls  
August 8, 1974

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AUTHORIZATION FOR ADVERTISEMENT FOR BIDS

On Tuesday, August 6<sup>th</sup>, no bids were received for the landscaping and sprinkling system to be installed at the Sewage Treatment Plant. We have been advised that bonding capacity was the problem on the combined project. We have deleted the landscaping and are requesting authorization to advertise for a sprinkling system only.

s/ Don

Councilman Gesas explained that advertisement for bids on the landscaping would be requested at a later date, and that this would be separate contract. It was moved by Councilman Gesas, seconded by Erickson, that authorization be granted to advertise for bids on the project as described. Roll call as follows: Ayes, 4; No, none; carried.

Another memo from the Public Works Director was then presented, to-wit:

City of Idaho Falls  
August 8, 1974

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: HIGH WATER ALARM SYSTEM

Plans and specifications have been completed for the High Water Alarm System to be installed, for sewage lift stations. We are requesting authorization to advertise for competitive bids.

s/ Don  
Donald F. Lloyd, P.E.

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It was moved by Councilman Gesas, seconded by Erickson, that authorization be granted to advertise for bids on the project as described. Roll call as follows: Ayes, 4; No, none; carried.

From the Police Chief, acting in the capacity as Chairman of the Traffic Safety Committee, this memo was read and studied:

City of Idaho Falls  
August 8, 1974

TO: Honorable Mayor and City Council  
FROM: Chairman – Traffic Safety Committee  
SUBJECT: RECOMMENDATION FOR REMOVAL OF VEHICLE PARKING

It is the recommendation of Traffic Safety Committee to remove the parking from the east side of Holmes Avenue between 13<sup>th</sup> Street and 14<sup>th</sup> Street.

There is at a maximum about room for seven (7) vehicles to park at present. When one or more parks on the east side along with the vehicles parking on the west it causes heavy congestion and a hazard during peak traffic movements.

s/ R. D. Pollock

Councilman Wood asked whether or not the affected merchants had been contracted on this proposal. The Police Chief appeared briefly to say that the congestion was limited to peak traffic movements. He said there should be no objection from merchants on the east side of the street, inasmuch as they all had ample off-street parking. He said the cars that were parking on the east side of the street, for the most part, were driven by those who were making purchases at the Liquor Store across the street which also had off-street parking available to those who were otherwise parking on the street. It was moved by Councilman Wood, seconded by Erickson, that this recommendation be approved. Roll call as follows: Ayes, 4; No, none; carried.

A second memo from the Traffic Safety Committee was then submitted, as follows:

City of Idaho Falls  
August 8, 1974

TO: Honorable Mayor and City Council  
FROM: Chairman – Traffic Safety Committee  
SUBJECT: PILOT BICYCLE SYSTEM PROGRAM

RE: Referred to Traffic Safety Committee at Council Meeting of July 11, 1974, for recommendation was the proposed bicycle route as presented to Council by Burnell Walker.

At a meeting of the Traffic Safety Committee on August 8, 1974, Mr. Tom Whyte made the motion that the Traffic Safety Committee recommend to the City Council approval of a pilot bicycle program for a properly designated and suitable bicycle path to begin at Rogers Street on the north along the east side of Rollandet to 21<sup>st</sup> Street, continuing with a bicycle lane east on the south side of 21<sup>st</sup> Street, with all the vehicle parking removed, to intersect at Boulevard with a bicycle lane starting at 17<sup>th</sup> running south on the west side of Boulevard, with the vehicle parking removed, to Rogers Street, continuing to the west with an improved

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bicycle path on the north side of Rogers Street to the intersecting road running to the east of the Parks & Recreation building.

ALSO: Redirecting the present one way vehicle traffic within Tautphaus Park to two (2) way from the bridge over the canal, near the cemetery, on east to Shelter #1 and south to the road to the tennis courts.

s/ Robert D. Pollock

Referring to the last paragraph, Councilman Erickson said he was concerned about the proposal to redirect traffic within Tautphaus Park. He said it had taken five years to get a traffic grid within the park that was reasonably effective and he would dislike seeing it now changed in favor of a bike route. He said he would rather see the problem approached by determining feasibility of a bike route within the park other than designated roadways. Asked for comment, Parks & Recreation Director Craner appeared briefly and concurred with Erickson,. He said if these traffic changes were made, as recommended, other changes would be necessary. He said certain parking would be eliminated, necessitating other parking elsewhere. He said it probably would also be necessary to reverse some of the traffic flow. The Police Chief reappeared briefly to say that it would be difficult to control bicycle traffic within the park. He said if the bicycle operator felt so included, he would cut across the lawns if it was more convenient. Councilman Hovey also concurred with Erickson. He said he could see little justification for a regulation making it mandatory for bicycles to be limited to established roadways within the park when like paths could be made available.

Councilman Gesas said that time was of the essence in implementing this program and suggested that, for purposes of consideration this night, the last paragraph of the foregoing memo be deleted and considered further at a later date. This met with general Council agreement. Therefore, it was moved by Councilman Gesas, seconded by Erickson, that with the above mentioned paragraph deleted, this bicycle pilot be initiated. Roll call as follows: Ayes, 4; No, none; carried.

This ordinance was then introduced by Councilman Gesas:

**ORDINANCE NO. \_\_\_\_\_**

AN ORDINANCE PROVIDING FOR THE ESTABLISHMENT OF BICYCLE PATHS AND BICYCLE LANES WITHIN THE CITY OF IDAHO FALLS, IDAHO, AND FOR THE ALTERATION AND EXTENSION OF THE ROUTING THEREOF; REQUIRING THAT THE ENGINEERING DEPARTMENT OF SAID CITY SHALL MARK AN SIGN ALL BICYCLE PATHS AND LANES IN SUCH MANNER AND WITH SUCH SIGNS AND MARKINGS AS IT SHALL DEEM NECESSARY TO REGULATE, WARN AND GUIDE TRAFFIC IN AND NEAR SAID PATHS AND LANES; FURTHER REQUIRING THAT SAID ENGINEERING DEPARTMENT PREPARE AND FILE WITH THE CITY CLERK WHEREVER BICYCLE PATHS AND LANES ARE ESTABLISHED OR ALTERED OR EXTENDED A MAP SETTING FORTH IN CURRENT STATUS THE LOCATIONS OF SAID PATHS AND LANES; ESTABLISHING RULES FOR CYCLISTS USING SAID PATHS AND LANES; REQUIRING THE OPERATORS OF ALL VEHICLES TO YIELD THE RIGHT OF WAY TO ALL CYCLISTS WITHIN SAID PATHS AND LANES WITH CERTAIN EXCEPTIONS AND SPECIFYING THE SAME; PROHIBITING THE OPERATION OF ANY

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VEHICLE ACROSS OR WITHIN ANY BICYCLE PATH OR LANE WITH CERTAIN EXCEPTIONS AND SPECIFYING THE SAME; MAKING IT UNLAWFUL TO VIOLATE ANY PROVISION OF THE ORDINANCE, AND FIXING PENALTIES FOR SUCH VIOLATIONS; PROVIDING PROCEDURES FOR ENFORCEMENT OF THE ORDINANCE, AND PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

Mr. Burnell Walker, City Traffic Technician, appeared briefly, registering concern about bike safety, particularly the need for a regulation requiring lights at night. City Attorney Smith said this was otherwise covered in a traffic law pertaining to bicycles. Public Works Director Lloyd appeared briefly and asked if a bicycle operator would be in violation of the law if he were to ride on a street with a designated bike lane but outside said lane, such as on the other side of the street. Lloyd was answered in the affirmative by the City Attorney.

With reference to the foregoing Ordinance, Councilman Erickson suggested that it be studied by the Police Chief to determine whether or not it was enforceable. Beyond that, the Councilmen were in general agreement that it should be available for study by any and all interested citizens, prior to its final passage. It was moved by Councilman Gesas, seconded by Wood, that this Ordinance be passed on its first reading. Roll call as follows: Ayes, 4; No, none; carried.

This petition, signed by 83 residents within the John Heights Subdivision west of Skyline and north of Grandview, was presented and read aloud:

1249 Washburn Avenue  
Idaho Falls, Idaho

Honorable Mayor S. Eddie Pedersen  
308 C Street, Box 220  
Idaho Falls, Idaho

RE: John Heights Subdivision Extending West of Skyline Drive and North of Grandview Drive

Honorable Mayor Pedersen:

We, the undersigned, request that the City of Idaho Falls post "15 MPH speed limit ... children playing" signs at the above-referenced area.

The present speed limit is 35 MPH which poses a constant threat to the safety of our children.

Your prompt attention to this matter will be appreciated.

Sincerely,  
s/ Linda A. Ellwein

It was moved by Councilman Wood, seconded by Erickson, that this be referred to the Traffic Safety Committee for study and consideration. Roll call as follows: Ayes, 4; No, none; carried.

The City Clerk presented this letter:

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YMCA  
August 8, 1974

Mayor S. Eddie Pedersen  
City Hall  
P. O. Box 220

Dear Mayor Pedersen:

In regard to our conversation regarding mini-bike riding sites for the YMCA NYPUM Program, I would like to request the use of the City Property adjacent to Grand Central behind the City Garage for the riding sites for the year 1974-75.

I would appreciate your consideration of this request.

Sincerely,  
s/ Mary Meck  
Mary Meck  
NYPUM Director  
Idaho Falls, Idaho

Asked by Councilman Erickson as to whether or not this site, if selected, would pose a nuisance and noise problem for nearby residents, Police Chief Pollock replied by advising that the nearest residents would be certain farmers on the Lewisville Road which was some distance away. He said the mini-bikes, compared to conventional motor bikes or motorcycles, make relatively little noise. Pollock continued to saying that this program was initiated several years ago and was designed primarily for underprivileged children. Pollock continued by saying that bikes are donated and that the terrain over the area as proposed and requested would be suitable. It was moved by Councilman Erickson, seconded by Gesas, that this matter be referred to the appropriate Council Committee for study and consideration. Roll call as follows: Ayes, 4; No, none; carried.

**ORDINANCE NO. 1389**

AN ORDINANCE AMENDING SECTION 6-3-7, CITY CODE OF IDAHO FALLS, IDAHO, BY PROVIDING THAT NOT MORE THAN TWO (2) DOGS OF LICENSING AGE MAY BE MAINTAINED, HARBORED OR POSSESSED UPON THE PREMISES OF ANY ONE HOUSEHOLD OR OF ANY ONE BUSINESS PROPERTY WITHIN THE CITY OF IDAHO FALLS, IDAHO UNLESS EITHER A COMMERCIAL OR A NON-COMMERCIAL KENNEL LICENSE BE FIRST OBTAINED THEREFOR; ESTABLISHING THE PROCEDURES, QUALIFICATIONS AND THE FEES FOR OBTAINING SUCH LICENSES; MAKING IT UNLAWFUL TO VIOLATE THE ORDINANCE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

