

MARCH 28, 1974

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, March 28th, 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 Ralph Wood, Gil Karst, Paul Hovey, Norris Gesas, Jim Freeman and Mel Erickson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; John Evans, City Controller; Rod Gilchrist, City Planner; Paul Lundblade, Building Official; Chad Stanger, General Services Director; Don Lloyd, Public Works Director; Steve Harrison, Electrical Engineer; Robert Pollock, Police Chief.

Minutes of the last regular meeting, held March 7th, 1974, were read and approved.

The Mayor announced that this was the time and the place for a public hearing, as advertised, to consider rezoning petition from Doctors Reid Anderson and Rheim Jones as more fully explained by this memo from the City Planner:

Bonn Council of Govn.
March 28, 1974

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: REZONING – CROW'S ADDITION, BLOCK 17, LOTS 4-6

The above described property is located at the corner of 5th and Holmes Avenue and is adjacent and directly west of the existing Eye Clinic. The purpose of the requested rezoning (R-1 to R-3A) is to provide additional parking facilities, access into the parking facilities, access into the parking lot which would be off of 5th Street, rather than Holmes Avenue, and to provide room for an addition to the existing building.

The Planning Commission reviewed this request at their regular meeting in February. At that time no protests were heard from the neighborhood and the Planning Commission recommended approval of the proposed rezoning.

This Department concurs with the Planning Commission's recommendation. It is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

It was noted that this request had first been made in 1964 and had drawn severe protest from certain near-by residents. Councilman Freeman registered concern that this rezoning request, if approved, would allow R-3A zoning to extend into a residential zone for a greater distance than that normally permitted as a buffer zone adjacent to an arterial. Councilman Karst observed and sited several instances where the Planning Commission had made recommendations which would suggest that their policy was not consistent. In answer to Councilman Freeman, City Planner Gilchrist appeared briefly to say that the Planning Commission made a recommendation several years ago that the depth of an R-3A zone serving as a buffer along an arterial be 150 feet. Freeman said he was not aware of this and that, if this was the desire of the Council, it should be incorporated in the comprehensive zoning ordinance and that, in the interim period, he would not be in favor of granting this rezoning petition. It was moved by Councilman Wood, seconded by Karst, that this rezoning request be tabled and that it be referred back to the Planning Commission so that, if that advisory board still felt the same about the depth of an R-3A zone as a buffer, it be

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submitted to the Council in the form of a formal recommendation. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor announced that this was the time and the place for a public hearing to consider the proposed annual budget for 1974. The Mayor noted that this hearing had been advertised in accordance with the requirements of State Law and asked the City Clerk to present and make a matter of record this legal notice covering estimated revenues and proposed expenditures, as follows:

NOTICE OF PUBLIC HEARING
ON BUDGET FOR FISCAL YEAR 1974

Notice is hereby given that the City Council of the City of Idaho Falls, Idaho will hold a public hearing for consideration of the proposed annual budget and annual appropriation ordinance for the fiscal year 1974, pursuant to the provisions of Section 50-1003, I.C., said hearing to be held at the Council Chambers in the City Hall of Idaho Falls, Idaho at 7:30 P.M. on Thursday, March 28, 1974. At said hearing all interested persons may appear and show cause, if any they have why said proposed budget should not be adopted or why the annual appropriation ordinance should not be passed and enacted in accordance therewith.

| <u>GENERAL FUND</u> | <u>Proposed Gross</u> <u>Appropriation</u> | <u>Revenue</u> <u>Sharing*</u> <u>Federal/</u> <u>State</u> | <u>Net</u> <u>Appropriations</u> |
|--------------------------------------|---|--|---|
| General and Administration | 371,091 | (81,500)* | 289,591 |
| City Clerk | 54,457 | (6,000)* | 48,457 |
| Finance | 143,766 | (30,000)* | 113,766 |
| General Services | 321,965 | (134,000)* | 187,965 |
| Police | 817,807 | (13,000)* | 804,807 |
| Animal Regulation | 38,698 | -0- | 38,698 |
| Inspection, Planning, Zoning | 98,977 | -0- | 98,977 |
| City Parks | 713,960 | (150,000)* | 563,960 |
| Public Works | 534,663 | (17,000)* | 517,663 |
| <u>Total General</u> | <u>3,095,384</u> | <u>(431,500)</u> | <u>2,663,884</u> |
| MUNICIPAL STREET FUND | 913,376 | (300,000)* | 613,376 |
| MUNICIPAL AIRPORT FUND | 598,243 | (365,000)* | 233,243 |
| MUNICIPAL FIRE FUND | 996,311 | (28,500)* | 967,811 |
| MUNICIPAL RECREATION FUND | 93,900 | .00 | 93,900 |
| <u>Total – Special Revenue Funds</u> | <u>2,601,830</u> | <u>(693,500)</u> | <u>1,908,330</u> |
| <u>Sub-total – Operating Funds</u> | <u>5,697,214</u> | <u>(1,125,000)</u> | <u>4,572,214</u> |
| MUNICIPAL WATER /SEWER FUND | 1,663,000 | (300,000) | 1,363,000 |

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| | | | |
|---|-------------------|--------------------|------------------|
| MUNICIPAL ELECTRIC LIGHT FUND | 3,097,000 | .00 | 3,097,000 |
| <u>Total Enterprise Funds</u> | <u>4,760,000</u> | <u>(300,000)</u> | <u>4,460,000</u> |
| OTHER FUNDS | | | |
| Municipal Police Retirement Fund | 70,000 | -0- | 70,000 |
| Municipal Library Fund | 197,629 | (9,200) | 188,429 |
| Eastern Idaho Regional Lib. Fund | 30,000 | (30,000) | -0- |
| Municipal Fire Improvement Bond Redemption and Interest Fund | 37,000 | -0- | 37,000 |
| Municipal Capital Improve Fund | 164,000 | -0- | 164,000 |
| Municipal Airport Bond Fund | 41,300 | -0- | 41,300 |
| <u>Total Other Funds</u> | <u>439,929</u> | <u>(39,200)</u> | <u>500,729</u> |
| <u>TOTAL PROPOSED EXPENDITURES</u> | <u>10,977,143</u> | <u>(1,464,200)</u> | <u>9,532,943</u> |

The estimated revenue of the City of Idaho Falls, Idaho for the fiscal year 1974 based upon the receipts of the previous (12) twelve months including receipts from water and sewer systems and hydroelectric plant, is as follows:, to-wit:

REVENUE FROM TAX LEVY

| | |
|--|------------------|
| General Levy | 887,833 |
| Municipal Street Fund, Special Levy | 51,840 |
| Municipal Airport Fund, Special Levy | 14,880 |
| Municipal Fire Department Fund, Special Levy | 432,000 |
| Municipal Recreation Fund, Special Levy | 62,400 |
| Municipal Police Retirement Fund, Special Levy | 115,200 |
| Municipal Library Fund, Special Levy | 163,200 |
| Municipal Fire Department Improvement Bond Redemption and Interest Fund, Special Levy | 34,560 |
| Municipal Capital Improvement Fund | 96,000 |
| <u>TOTAL TAX LEVY</u> | <u>1,857,913</u> |
| Franchises | 95,850 |
| Licenses and Permits | 83,900 |
| Interest and Rentals | 122,000 |
| Charges for Current Services | 569,835 |
| Sale of Electrical Energy | 3,544,000 |
| Revenue from Other Agencies | 937,500 |
| Grants | 1,464,200 |
| Miscellaneous Other Revenues | 222,725 |
| Water and Sewer System | 1,201,000 |
| Municipal Library Collections | 9,450 |
| Contributions and Interest | 151,700 |

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| | |
|--|-------------------|
| <u>TOTAL REVENUES</u> | <u>10,260,073</u> |
| Unappropriated Surplus | 865,300 |
| Less Revenues Reserved | (128,230) |
| <u>TOTAL REVENUES & SURPLUS FOR APPROPRIATION</u> | <u>10,997,143</u> |
| Less Grants listed above | (1,464,200) |
| <u>NET REVENUE AND SURPLUS</u> | <u>9,532,943</u> |

I, Roy C. Barnes, City Clerk of the City of Idaho Falls, Idaho, do hereby certify that the above and foregoing is a true and correct statement of the proposed expenditures by Fund and/or Department for 1974 and of the entire estimated revenue of the City of Idaho Falls for 1974 based upon the previous fiscal year; all of which have been tentatively approved by the City Council and entered at length in the Journal of Proceedings.

Dated this 15th day of March, 1974.

s/ Roy C. Barnes
CITY CLERK

The Mayor invited Councilman Karst, as Chairman of the Fiscal Committee, to conduct this hearing.

Karst prefaced his remarks by saying that this was the largest proposed budget in the history of the City even though \$3,000,000 had been cut from expenditure requests. He said this was to be expected, in view of the inflationary factor. He illustrated this point by submitting several examples of materials, equipment and salaries and the fact that these had been increased from 15% to 155% since 1971. Asked about salaries, he said the Council had decided to offer a 10.7% package increase to all employees and that this, needless to say, added its proportionate share to the inflationary picture. Karst said this was not offset by a compensating inflationary increase in revenue, exceptions being anticipated from revenue sharing and property taxes. To some extent, on a breakdown report, Karst noted that revenue would be forthcoming from the following sources and in the percentages as indicated:

| | |
|---|------------|
| Property Tax | 17% |
| Utility Collections | 43% |
| Federal & State Grants | 13% |
| Re-budgeted Items & Carryover Surplus | 7% |
| Franchises, Services, Licenses, Fines, etc. | <u>20%</u> |
| | 100% |

Karst then gave a similar breakdown on expenditures, as follows:

| | |
|---------------------------------|-----|
| Utility Division | 43% |
| Police & Fire Division | 17% |
| Public Works & Airport Division | 19% |

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| | |
|--|-----------|
| Parks & Recreation Division | 7% |
| General Services Division, Inspectors, Finance and Administration | 9% |
| Library, Debt and Police Retirement | <u>5%</u> |
| | 100% |

Karst then discussed proposed capital outlay, noting that revenue sharing would be used for non-concurring projects of this nature. He said that capital outlay costs continue to spiral but that this would not prevent certain much needed capital outlay projects from proceeding. Included in said proposed projects, continued Karst, was the electric warehouse and service building, South Capital Avenue, the Broadway L.I.D., various waterline extensions, a start on the electrical loop around the City, clear zone lighting at the Airport, various park projects, preliminary engineering and designing on the Anderson-Lewisville project, Lomax Street and Blue Sky Drive and equipment replacement. Karst concluded his remarks by saying that the relationship between materials and salaries would be about the same as last year.

Councilman Freeman noted that several projects were planned for last year but failed to materialize for one reason or another. He said these had been re-budgeted for this year, thus raising the budget figure to that extent. There were none who appeared to protest the proposed budget or to otherwise raise questions or other comment about it. The Mayor commended the Fiscal Committee and the City Controller for a fine job in putting this proposed budget together. Asked for comment, City Controller Evans said that, in his opinion, the full Council had done a commendable job of keeping the tax base down without jeopardizing services to the taxpaying citizens. Councilman Freeman commended the City Controller for his dedicated efforts in this regard.

Mr. Rand Oertle, K.I.D. news reporter, appeared before the Council. Noting that the Police Department was presently making their demands known for a sizeable salary increase, he asked how this would affect the budget. Councilman Karst said this had no relation to the immediate problem at hand or the purpose of this hearing; namely, to approve a balanced budget for 1974.

In the absence of further comment, it was moved by Councilman Karst, seconded by Freeman, that the proposed budget, as submitted and recommended, be accepted and approved. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1380

AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATIONS OF THE CITY OF IDAHO FALLS, IDAHO, IN THE STATE OF IDAHO, AND FOR THE APPROPRIATION OF SEVERAL FUNDS AND PURPOSES DURING THE FISCAL YEAR 1974, AND PROVIDING THE AMOUNT OF PROPERTY TAX APPROPRIATED FOR EACH OF SAID FUNDS.

The foregoing Ordinance was presented in title. It was moved by Councilman Karst, seconded by Freeman, 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.

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Noting Mr. Richard Groberg in the Council Chambers, the Mayor asked the following matter to be moved up on the agenda and presented at this time:

City of Idaho Falls
March 28, 1974

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Building and Zoning Division
SUBJECT: SIGN VARIANCE FOR G.H.G. INVESTMENT

The G.H.G. Investment Company of 1655 South Woodruff Avenue requests a variance to permit two pole signs to remain as erected, One on Lot 42, Block 4, and one on Lot 1, Block 6, Fairmont Park Addition, in the R-3A zone. These signs are located on the north side of the intersection at Woodruff Avenue and 17th Street. These signs are in violation of Ordinance #1115 which states: "In an R-3A zone, signs shall be attached to and placed flat against the wall of the building and extend no more that two (2) feet from the building wall". These signs are in compliance with clear view of intersecting streets.

We also found five (5) additional 3' X 6' pole signs erected on the west side of Woodruff Avenue approximately 600 ft. north of the 17th Street intersection, located 6 ft. inside the curb, placing them one foot inside of sidewalk on owners property. These signs are all non-illuminated.

Please see attached plot plan for location of the larger signs and attached photograph of the five (5) smaller signs.

Respectfully submitted for your consideration.

s/ Paul Lundblade
Building Official

Councilman Wood explained that the two permanent signs referred to in the foregoing memo were advertising the development project and the Idaho Falls Racket Club. Wood explained further that the other five signs referred to in the memo also advertised the project but were strictly temporary. Asked by a Councilman as to how long the temporary signs would remain, Mr. Groberg was unable to give a definite date. Councilman Gesas registered an opinion to the effect that this variance if granted, would be just another case of precedent setting. He said that there would appear to be an inability on the part of the City to come up with a practical and workable sign ordinance so that there would be a much lessened need for these requests for sign variances. Councilman Karst concurred and added that, in his opinion, there were too many instances of signs having been installed without the City's knowledge, consent or a permit. It was moved by Councilman Wood, seconded by Karst, that this variance as requested be approved. Roll call as follows: Ayes, 4; No, none; carried. Councilman Wood, Hovey, and Freeman and Erickson voting Aye; Councilmen Karst and Gesas voting no.

It was moved by Councilman Wood, seconded by Gesas, that the City Attorney, working with the Building and Planning Department, draft an appropriate sign ordinance for Council

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consideration, said ordinance to be ready for presentation within 30 days. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor acknowledged a Boy Scout Troop in the Council Chambers. It was learned from their Scout Master that they were working toward their merit badges. The Mayor thanked them for their presence and their interest.

License application for GROCERY, Buford Allen for Wine Craft; GROCERY STORE, (Transfer only), from Brent Hampton to Barbara Cowell for 7-11 at 1095 9th Street, from Brent Hampton to Kay Moore for 7-11 Store at 547 G. Street; RESTAURANT, Robert J. Wilkerson for Arctic Circle, 780 W. Broadway, 450 1st Street and 235 E. Street, V.J. Glansen for Britts Department Stores. T.P. Grimmett for Tam's Frostop Drive In, Ralph Ingram for Ford's Bar, Mike Sullivan for Ramada Inn, Elva Cherry for Skyline Restaurant; FOUNTAIN, Cecil D. Lofthouse for Skateland; DAIRY, Upper Snake River Dairyman's Association; ELECTRICAL CONTRACTOR, David A. Paulk with Electrical Services, M.J. Hanson with J.H. Electric, Ideal Electric, C-L Electric Co.; JOURNEYMAN ELECTRICIAN, Douglas L. Jackson, M.J. Hanson, Wayne Van Orden, Dentin Lempke, Albert Nyman, DeVon Kofoed, Birch Wheeler; APPRENTICE ELECTRICIAN, Val A Long; MASTER PLUMBER, Vern Saxton; JOURNEYMAN PLUMBER, Kent H. Misseldine; CLASS D CONTRACTOR, GAS FITTING, WET HEAT, Max Sargent; CLASS C CONTRACTOR, GAS & WARM AIR, Robert Schriener Heating & Air Conditioning; CLASS D CONTRACTOR, REF, Falls Refrigeration; CLASS C JOURNEYMAN, GAS, WARM AIR, Robert Schriener; CLASS D JOURNEYMAN, REF, Vaugh C. Johnson, William D. Johnson; CLASS D APPRENTICE, REF, Dan Carlton; SKATING RINK, Skateland; POOL TABLES, Ford's Bar; BOWLING LANES, Skyline Lanes; NON COMMERCIAL KENNEL, Robert Nelson for Ramada Inn; PHOTOGRAPHY, S. Darrell Reeder for Reeder's Studio, William Melville for Melville's; AUCTIONEER, Dale V. Ray for Indian Jewelry Auction; SECOND HAND STORE, Mike Bell; DANCE HALL. Mike Sullivan for Ramada Inn, Steve Montague for Matador Lounge; PRIVATE PATROLMAN, William Kocker with Services, Inc.; TAXI OPERATOR, Glenna Waters; BARTENDER, Sandra Clark Safford, Teresa Egan, Jesse Funk, Barbara Robison, John E. Toney; BEER, (Transfer only), Brent Hampton to Kay Moore for 7-11 Store, from Brent Hampton to Barbara Cowell for 7-11 Store were presented. It was moved by Councilman Erickson, seconded by Freeman, 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.

The City Clerk drew attention to the fact that he had published a notice of zoning hearing to be held April 11, 1974, and that, in the interests of time, this had been done without formal Council approval. It was moved by Councilman Freeman, seconded by Gesas, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented another matter requiring Council ratification; explained by this memo from the Public Works Director:

City of Idaho Falls
March 28, 1974

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: BROADWAY WATER MAIN EXTENSION

At 10:00 a.m. on March 19, 1974, four bids were received for the installation of the Broadway water main, as follows:

| | |
|--------------------------------|-------------|
| Burggraf Construction Co. | \$25,745.00 |
| Grover & Sons Construction Co. | 28,280.50 |

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| | |
|-------------------------|-------------|
| Gray Landscaping, Inc. | \$29,128.75 |
| Hartwell Excavating Co. | 30,450.00 |

This same date the Council informally awarded the contract to the low bidder, Burggraf Construction Co. in the amount of \$25,745.00. We are requesting ratification of this action.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Karst, that this action also be ratified. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a City redemption tax deed in favor of Robert Jonak, accompanied by this resolution:

R E S O L U T I O N (Resolution No. 1974-06)

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 this 12th day of May, 1971, recorded as Instrument No. 417743, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots 16-18, both inclusive, Block 24, Highland Park Addition, to the City of Idaho Falls, Idaho, as per recorded plat thereof.

WHEREAS, ROBERT JONAK, has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW, THEREFORE, BE IT RESOLVED:

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

PASSED BY THE COUNCIL this 28th day of March, 1974.

APPROVED BY THE MAYOR this 28th day of March, 1974.

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

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, 6; No, none; carried.

From the Purchasing Department came this memo:

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City of Idaho Falls
March 15, 1974

Electronic Distance Measuring Equipment and Accessories

Honorable Mayor and City Councilmembers:

Tabulation of bids for Electronic Distance Measuring Equipment and Accessories is attached.

Bonneville Blue Print submitted the only bid for a total complete price of \$6,477.45.

It is the recommendation of the Public Works Division and 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 Gesas, that Bonneville Blue Print be awarded the bid, as recommended, for the Electronic Distance Measuring Equipment. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Purchasing Department was forthcoming, to-wit:

City of Idaho Falls
March 27, 1974

Vehicles & Equipment

Honorable Mayor and Councilmembers:

The Purchasing Department requests approval to advertise for bids for vehicles and equipment as listed on attached page. This is the total list of equipment as budgeted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

MEMORANDUM

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Wes:

Would you please request permission of the City Council to advertise for bids for the following list of equipment as approved in the 1974 equipment management budget.

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- (2) ½ ton pickups
- (1) ¾ ton pickup
- (1) ½ ton pickup 4x4
- (1) street flusher truck
- (2) sedans
- (1) 5 gang mower
- (1) tractor and backhoe
- (1) nine gang mower
- (1) 3 ton truck (for Electric)
- (1) ¾ ton pickup 4x4 (for Electric)
- (1) 1 ½ ton truck with service bed (for Electric)
- (1) ½ ton pickup (for Water)
- (1) 3 ton dump truck (for Water)

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

From the City Controller this memo was submitted:

City of Idaho Falls
March 28, 1974

TO: Mayor S. Eddie Pedersen and City Council
FROM: John D. Evans, City Controller
SUBJECT: EXTENSION – FIRE & EXTENDED COVERAGE INSURANCE

Pursuant to my conversation with Gil Karst regarding the above mentioned insurance policy, I hereby request authorization to extend this coverage with the present carriers for another year.

Homer-Koster Co. and Tandy and Wood, Inc. the present carriers, are willing to extend the coverage, but suggest City property be reevaluated and increased by a flat 35% on all buildings, 50% on equipment and all large buildings be individually reevaluated. The suggested increase in valuation is due to the increased cost of replacement as the present valuation is based on the 1969 appraisal which was made at the time the coverage was bid.

s/ John D. Evans
Controller

It was moved by Councilman Karst, seconded by Freeman, that the insurance coverage as described, be extended as recommended and, also that all City property be reevaluated and that the new policy reflect said reevaluation. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented and read aloud this property appraisal as pertained to L.I.D. #48:

**LOCAL IMPROVEMENT DISTRICT NO. 48
APPRAISAL OF PROPERTY**

We, the undersigned, WESLEY SKOW, AND JOSEPH A. LAIRD, acting pursuant to the provisions of ORDINANCE NO. 598, of the City of Idaho, DO HEREBY CERTIFY that we

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are the duly appointed, qualified and acting City Purchasing Agent and the City Engineer of the City of Idaho Falls, Idaho; that we have investigated the value of all of the real property situated in Local Improvement District No. 48, and we find and determine that the actual value of the real property situated in said District is \$6,042,000, and that the actual value of said real property, exclusive of the improvements thereon, is \$2,981,000.

Dated at Idaho Falls, Idaho this 26th day of March, 1974.

s/ W. J. Skow
Purchasing Agent

s/ Joe A. Laird
City Engineer

It was moved by Councilman Gesas, seconded by Karst, that this appraisal be accepted and made a matter of record. Roll call as follows: Ayes, 6; No, none; carried.

Having accepted the foregoing appraisal, on motion of Councilman Gesas, seconded by Councilman Karst, the following Resolution was adopted by the unanimous vote of the Council and Mayor:

RESOLUTION (Resolution No. 1974-07)

“RESOLVED: THAT THE ACTUAL VALUE OF THE REAL PROPERTY INCLUDED IN PROPOSED LOCAL IMPROVEMENT DISTRICT NO. 48 IS \$6,042,000.00, AND THAT THE ACTUAL VALUE OF SAID REAL PROPERTY, EXCLUSIVE OF THE IMPROVEMENTS THEREON IS \$2,981,000.00; THAT THE ORGANIZATION AND CREATION OF THE DISTRICT IS PROPER AND THAT THERE IS REASONABLE PROBABILITY THAT THE OBLIGATIONS OF SUCH DISTRICT WILL BE PAID.”

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/Roy C. Barnes
CITY CLERK

Councilman Gesas introduced Ordinance No. 1381 entitled:

ORDINANCE NO. 1381

“AN ORDINANCE CREATING AND SETTING FORTH THE BOUNDARIES OF LOCAL IMPROVEMENT DISTRICT NO. 48 IN AND FOR IDAHO FALLS, IDAHO, FOR THE PURPOSE OF REMOVING THE EXISTING SIDEWALKS AND ALL UNDER SIDEWALKS, COAL CHUTES, FREIGHT DROPS AND BASEMENT AREAS, AND INSTALLING NEW SIDEWALKS AND NEW STREET LIGHTING, DECORATIVE BRICK WORK AND PLANTING TREES THEREIN AND THEREON; PROVIDING THAT SUCH IMPROVEMENT SHALL BE MADE AND THAT THE COST AND EXPENSE OF SUCH IMPROVEMENTS SHALL BE TAXED AND ASSESSED UPON

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ALL PROPERTY IN SAID DISTRICT IN PROPORTION TO THE NUMBER OF SQUARE FEET OF LANDS AND LOTS ABUTTING, ADJOINING, CONTIGUOUS AND ADJACENT THERETO INCLUDED IN SAID DISTRICT AND IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; AND PROVIDING THAT THE WHOLE COST AND EXPENSE OF SAID IMPROVEMENTS WITHIN STREET INTERSECTIONS AND ALLEY INTERSECTIONS SHALL BE PAID FROM THE GENERAL FUNDS OF THE CITY AND FIXING THE AMOUNT THERETO; AND PROVIDING FURTHER THAT THE MAKING OF SAID IMPROVEMENTS IS DEPENDENT UPON THE ISSUANCE OF SALE OF LOCAL IMPROVEMENT BONDS TO DEFRAY THE COST OF SAID IMPROVEMENTS OTHER THAN THE COST AND EXPENSE TO BE PAID FROM THE GENERAL FUNDS OF THE CITY.”

and moved that the Ordinance be adopted and passed by the Council on its first reading. Motion was seconded by Councilman Erickson and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Karst that the rules be suspended, and that the Ordinance be placed on it's second and third reading. Motion was seconded by Councilman Freeman and the same being put to vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Hovey, seconded by Councilman Wood, that the Ordinance pass its third reading, and that the same be adopted, and the City Clerk be instructed to publish the same as required by law, and the same being put to a vote, it was unanimously carried, the vote being as follows: Councilmen Erickson, Freeman, Gesas, Hovey, Karst and Wood.

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

City of Idaho Falls
March 28, 1974

TO: Mayor and City Council
FROM: Ernest C. Craner, Director
SUBJECT: TENNIS COURTS, BASKETBALL AND BADMINTON COURTS (ASPHALT)

Request authorization to advertise for bids for three tennis courts (lights) asphalt area for basketball and badminton courts (lights) at Clair E. Gale Junior High.

Project funded ½ BOR, ¼ School District No. 91 and ¼ City of Idaho Falls. Total Project -- \$46,746.00.

s/ Ernest Craner

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

From the Public Works Director, this memo was submitted:

City of Idaho Falls
March 25, 1974

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TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P.E. Director
SUBJECT: SOUTHWEST BONNEVILLE DRIVE WATER MAIN

The plans and specifications have been completed for the water main extension on Southeast Bonneville Drive and 9th Street.

We would request authorization to advertise for this project.

Respectfully submitted,
s/ Don

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

Another memo from Public Works Director was forthcoming, as follows:

Idaho Falls, Idaho
March 25, 1974

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: LINDSAY BOULEVARD WATER MAIN

The plans and specifications for the Lindsay Boulevard Water line extension have been completed and we are asking authorization for the City Clerk to advertise.

Respectfully submitted,
s/ Don

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

Also, from the Public Works Director, this memo was presented:

City of Idaho Falls
March 22, 1974

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: YELLOWSTONE PARKING LOT

The plans and specifications have been completed for the paving of Yellowstone Parking Lot between "B" and "C" Streets. We are requesting authorization for the City Clerk to advertise for competitive bids.

Respectfully submitted,
s/ Donald F. Lloyd

It was moved by Councilman Gesas, seconded by Karst, that the City Clerk be authorized to advertise for bids on this paving project. Roll call as follows: Ayes, 6; No, none; carried.

MARCH 28, 1974

A change order on the sewage treatment plant construction project was introduced by this memo:

City of Idaho Falls
March 27, 1974

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: CHANGE ORDER NO. 7

We are attaching hereto Change Order No. 7 for the Sewage Treatment Plant contract.

This Change Order involves some 24 items which, for the most part, have all been completed for a total cost of \$16,481.36. We are recommending this Change Order be approved and the Mayor given authorization to sign.

Respectfully submitted,
s/ Don

It was moved by Councilman Gesas, seconded by Karst, the this change order be approved and the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Public Works Director, this memo was submitted:

City of Idaho Falls
March 28, 1974

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: BICYCLE PATHS

The Public Works Committee has considered the advisability of instituting a program for bicycle paths throughout the City. A master plan for such bicycle paths is now being developed for COG in cooperation with the Engineering Department. The Public Works Committee is requesting approval for the installation of bicycle paths as soon as locations and details can be finalized.

In addition, we are requesting the City Attorney to be authorized to prepare an ordinance covering the use and installation of bicycle paths.

Respectfully submitted,
s/ Don

Councilman Gesas explained that these proposed plans did not, in every instance, require construction but rather, nothing more than lining and striping. Councilman Erickson proposed, with general Council concurrence, that the Traffic Safety Committee have an opportunity to peruse and study this entire program including suggested paths and routing. It was moved by Councilman Gesas, seconded by Freeman, that subject to the foregoing suggestion by Councilman Erickson, the Council endorse this program and the City Attorney be directed to prepare an appropriate ordinance for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

MARCH 28, 1974

Anticipating annexation, the City Clerk presented a final plat of Skyline Terrace, Division No. 6. It was moved by Councilman Wood, seconded by Karst, 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 was then presented, previously signed by officials from School District No. 91, covering Skyline Terrace, Division No. 6. It was moved by Councilman Wood, 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.

ORDINANCE NO. 1382

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 (SKYLINE TERRACE, DIV. #2)

The foregoing Ordinance was presented in title. It was moved by Councilman Wood, seconded by Karst, 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.

It was then moved by Councilman Wood, seconded by Karst, that this newly annexed area be initially zoned R-1 and the Building Official be instructed to incorporate said zoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

From the Police Chief, this memo was presented:

City of Idaho Falls
March 19, 1974

TO: Honorable Mayor and City Council
FROM: Pollock
SUBJECT: REQUEST FOR APPROVAL OF EXTENDED SUSPENSION WITHOUT PAY

The Idaho Falls Civil Service Commission has revoked dismissal of Andre D. Brown by this Division and issued the decree that he be suspended without pay for 180 days dating from February 22, 1974.

As per City Policy this long of suspension must have approval of City Council.

s/ R. D. Pollock

It was moved by Councilman Wood, seconded by Freeman, that the term of suspension for the Police Officer as indicated be approved. Roll call as follows: Ayes, 6; No, none; carried.

At the request of the Mayor, this letter of commendation relative to Director of Aviation Hill was presented and made a matter of record:

MARCH 28, 1974

AM. ASSN. OF AIRPORT EXEC.
March 6, 1974

Honorable Mayor S. Eddie Pedersen
City of Idaho Falls
Box 220
Idaho Falls, Idaho

Mayor and City Council:

The American Association of Airport Executives is a professional membership organization whose members are the managers of the nation's airports. Although the Association has a small paid staff, it must depend heavily for the furtherance of its objectives on the voluntary involvement of airport manager members throughout the country. These members give considerable time and effort to the airport management profession outside the sphere of their own particular airport. This involvement has served to make our national airport system a better one, which in turn makes the particular airport managed by a member, a better one.

Your manager, Pete Hill, has long played an active role in our activities – as a member, committee chairman, director and currently an officer. Despite his personal commitment to the improvement of airport management as a profession, he would be unable to be as active and involved in such matters without the support and encouragement of the City whose airport he manages. This, then, is to express our sincere appreciation to the City through its Mayor and Council for its interest in the improvement of airports and airport management as evidenced by its permitting Mr. Hill to be active in Association matters.

Sincerely,
s/ F. R. Hoyt

Also, under the category of communications, this letter was presented and read aloud by the City Clerk:

Idaho Federation of
Women's Clubs
March 22, 1974

The Honorable S. Eddie Pedersen
Mayor, City of Idaho Falls
308 C Street
Idaho Falls, Idaho

Dear Eddie:

You asked me to write to you about a forthcoming proposal of the Idaho Falls Women's Club. You will recall that one of their projects was providing facilities for the use of the Idaho Easter Seal Society for a speech and hearing center. About 1963-4 we were able to do just that with a remodeled building that was set on a lot donated to us by the City of Idaho Falls under a 99 year lease, and we in turn lease the building to the Society for \$1.00 a year.

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A recent Internal Revenue ruling affects our non-profit incorporation, and to comply we will be changing our by-laws to include a final disposition of our assets in case the Idaho Falls Women's Club should disband, the chief asset is, of course, the speech and hearing center.

With the City's permission we would like to turn over the building to the Idaho Easter Seal Society with the same lease arrangement of \$1.00 a year that we now have with you, if we do disband.

I am also writing to Mr. Ray Larsen, Executive Director of the Society in Boise, and I am sure they will accept. And at our April meeting of the club, this bylaw change will be brought to a vote. I have also been in touch with Mr. M.B. Hiller, who was our attorney for the process of incorporating, and he promised to work out any legal ties, if necessary.

I know this is a small matter, and hope that it does not involve too much of your time. We will always be grateful for the cooperation we received from the Council, and speaking for the Society, the Center has provided a real service to community, even more so, every year.

Sincerely,
s/ Jo Harris
Chairman - Special Com.
for the Idaho Falls
Women's Club

It was moved by Councilman Karst, seconded by Freeman, that this matter be referred to the City Attorney with authorization for him to prepare and have executed by the Mayor and City Clerk the necessary legal documents to transfer the lease in question. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Hovey presented a proposed lease agreement between the City and the Bonneville Power Administration pertaining to a 50' X 200' area at the Sugar Mill substation, whereby that agency would lease said area from the City in the amount of \$376.00 annually, to be used for pole storage. It was moved by Councilman Hovey, seconded by Gesas, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This letter from the Union Pacific Railroad was presented by Councilman Hovey:

Union Pacific Railroad Co.
March 20, 1974

A. L. Smith, Esq.
City Attorney
Post Office Box 428
Idaho Falls, Idaho

Please refer to your letter of November 21, 1973, concerning acquisition by the City of two parcels of railroad owned land at Idaho Falls.

Confirming our telephone conversation of March 21, 1973, please be advised we now hold executed Quitclaim Deed L & T 8988-1, conveying the property from the Union Pacific Railroad Company to the City of Idaho Falls. Deed covers the two parcels, aggregating

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32,436 sq. ft. for a total consideration of \$19,461.60, computed on a land value of 60 cents per square foot.

Assuming a closing date of March 30, 1974, prorates of the 1974 taxes would result in Union Pacific being responsible to 90 day's taxes, or \$159.00, and the City of Idaho Falls for 275 days, or \$485.85, based on a daily rate of \$1.7667.

In the event the City is unable to have the property removed from the tax rolls as of that date, the total consideration to be paid in amount of closing would be \$19,947.45.

When the deed of conveyance has been recorded by the City, please request land title company to furnish title insurance policy in amount of \$19,461.60 to the City of Idaho Falls and forward to me for payment by the Railroad Company.

After review, if the foregoing computations are acceptable to you, please forward City of Idaho Falls voucher to me and the deed will be sent to you promptly for handling the necessary recordation.

If the suggested method of closing in not satisfactory, please advise and I will arrange to come to Idaho Falls and accomplish the closing in your office.

Yours very truly,
s/ S. L. Ferguson

It was moved by Councilman Hovey, seconded by Gesas, that the City Controller be authorized to issue a warrant to the railroad in the amount of \$19,461.60 for the land in question and the City Attorney be authorized to proceed with all legal documents for acquisition of said lands accordingly. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Hovey reported that it was necessary, at this time, to consider an amendatory agreement to the WPPSS Net Billing Agreement No. 14-03-39262. He said the WPPSS officials had decided, instead of rebuilding the existing reactor, to build a new reactor a short distance away and continue to operate the existing reactor without rebuilding or conversion for the predictable future. Therefore, this resolution was introduced and discussed:

RESOLUTION (Resolution No. 1974-08)

A RESOLUTION AUTHORIZING THE EXECUTION OF AMENDATORY AGREEMENT NO. 1 TO NET BILLING AGREEMENT RELATING TO WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR PROJECT NO. 1 WITH THE UNITED STATES OF AMERICA, DEPARTMENT OF THE INTERIOR, ACTING BY AND THROUGH THE BONNEVILLE POWER ADMINISTRATOR, AND THE WASHINGTON PUBLIC POWER SUPPLY SYSTEM, AND DELIVERY OF SAID AGREEMENT TO THOSE PARTIES.

The City of Idaho Falls, Idaho, (hereinafter called the "City"), pursuant to an earlier resolution (hereinafter called the "authorizing resolution"), of its Council, has entered into a contract with the United States of America, Department of the Interior, acting by and through the Bonneville Power Administrator (hereinafter called "Bonneville"), and the Washington Public Power Supply System (hereinafter called the "System), said contract being

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designated "WPSS Nuclear Project No. 1 Net Billing Agreement", an executed copy of which is on file with the City.

Pursuant to the Net Billing Agreement the System is to construct and acquire the nuclear generating plant and associated facilities referred to in said agreement as the "Washington Public Power Supply System Nuclear Project No. 1" (hereinafter called the "Project").

As stated in the Authorizing Resolution there is on file with the City a draft of "Bond Resolution" dated November 21, 1972, to be adopted by the System after approval by Bonneville.

Under the terms of the Net Billing Agreement and said draft of the Bond Resolution the Project as described in Exhibit B to the Net Billing Agreement is to include the Existing Power Facilities as defined in the draft of Bond Resolution.

Due to delays in construction of generating projects and anticipated fuel shortages, planned power resources under the Hydro Thermal Power Program are expected to be inadequate to meet the needs of the Pacific Northwest in the late 1970's. If the Project were constructed with the inclusion of the existing power facilities, as provided in the Net Billing Agreement and Bond Resolution, it would be required that the operation of the System's Hanford Project be shut down in 1977. Such a shutdown would cause a substantial, additional curtailment of energy available to the region, constituting a critical aggravation of an anticipated power shortage. The Council finds that it is in the City's interest that such a curtailment be avoided and that any obstacle to the continued operation of the System's Hanford Project during the period beyond 1977 be removed.

Based upon the above, the City proposes to execute with the system and with Bonneville an amendment to the Net Billing Agreement designated Amendatory Agreement No. 1 in the form and content as set forth in the draft thereon on file with the City dated February 28, 1974, under which the description of the Project will be changed to enable the System to proceed with the acquisition and construction of the Project, as modified. The project, as so modified, will not include the Existing Power Facilities.

In accordance with the Amendatory Agreement, it is expected that the System will adopt a "Bond Resolution" at a later date, entitled:

A RESOLUTION PROVIDING A PLAN AND SYSTEM FOR THE ACQUISITION AND CONSTRUCTION BY WASHINGTON PUBLIC POWER SUPPLY SYSTEM OF UTILITY SYSTEM CONSISTING OF A NUCLEAR GENERATING PLANT AND ASSOCIATED FACILITIES TO BE KNOWN AS THE WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR PROJECT NO. 1, AND PROVIDING FOR THE ISSUANCE OF REVENUE BONDS FOR SAID PURPOSE.

The Draft of Bond Resolution dated November 21, 1972, previously referred to, has been revised in a draft dated February 14, 1974, to reflect the change of description of the Project and make other changes. A summary dated February 26, 1974, of the changes which were made from the draft of Bond Resolution dated November 21, 1972, is on file with the

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City. It is also expected that the System will adopt Bond Resolution(s) providing for the sale of short-term notes to finance preliminary costs of acquiring and constructing the Project, as modified, which Bond Resolution(s) will be consistent with the revised draft of Bond Resolution and the Net Billing Agreement, as amended by the Amendatory Agreement.

The Council has reviewed the Amendatory Agreement and the summary relating to the Bond Resolution above referred to and now finds that entering into said Agreement with the System and Bonneville is in the best interest of the City and that performance of the Net Billing Agreement as amended, among other things, will make additional amounts of power and energy available from Bonneville at a lower cost than otherwise possible to meet the prospective needs of the City to serve its residents and customers in the future.

THEREFORE, IT IS RESOLVED:

Section 1. The Mayor and City Clerk of the City are hereby authorized and directed, on behalf of the City, to execute with Bonneville and the Washington Public Power Supply System the Amendatory Agreement above referred to, substantially as set out in the draft thereof on file with the City, dated February 28, 1974, and to deliver copies thereof to the other parties to the Agreement.

Section 2. The City hereby ratifies and affirms the WPPSS Nuclear Project No. 1 Net Billing Agreement and its obligations thereunder.

Section 3. All resolutions and parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 28th day of March, 1974.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

The motion was made by Councilman Hovey, and seconded by Councilman Gesas, that this resolution be adopted. The motion passed by the following vote: For 6; against, 0. The Resolution was thereupon declared duly adopted and ordered by the Mayor to be filed in the records of the City.

It was then moved by Councilman Hovey, seconded by Gesas, that Electrical Engineer Harrison be authorized to write and forward a letter to the Washington Public Power Supply System, indicating a mutually acceptable contract accordingly. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Gesas, that the meeting adjourn at 9:00 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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