

OCTOBER 25, 1973

The City Council of the City of Idaho Falls met in a recessed regular meeting, October 25th, 1973, 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, Mel Erickson, Paul Hovey. Absent: Councilmen Jack Wood and Gil Karst. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Lorna Coughlin, City Treasurer; Lee Mundell, Personnel Director; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Steve Harrison, Electrical Engineer; Ernie Craner, Parks and Recreation Director; Don Lloyd, Public Works Director.

Minutes of the last recessed regular meeting, held October 11th, 1973 were read and approved.

At the invitation of the Mayor, Electrical Engineer Harrison escorted Mr. Robert Kehrer to the Council Table. The Mayor acknowledged Mr. Kehrer as a recent City Employee Retiree who, since 1967 had served as a Utility Man for the Electric Division. The Mayor paid special tribute to Mr. Kehrer, not only for serving the public with dispatch relative to emergency utility calls but, also, because of his unique craftsmanship at seating huge babbit thrust bearings that support the weight of the generators and turbines at the power plants. The Mayor then presented Mr. Kehrer with an inscribed billfold and wished him well during his years of retirement after which he received a congratulatory handshake from all City Officials around the Council Table.

License applications for ELECTRICAL CONTRACTOR, Robert G. Hiatt with R. G. Hiatt Electric; JOURNEYMAN ELECTRICIAN, Martell Klingler; TAXI CAB OPERATORS, Jered Wilson; BARTENDER, Earl J. Woekner, Mira Weiss, Richard E. Taylor, Arthur Herrera 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, 4; No, none; carried.

From the City Clerk this memo was presented:

City of Idaho Falls
October 25, 1973

TO: Honorable Mayor and City Council
FROM: Roy C. Barnes, City Clerk
SUBJECT: LEAVE OF ABSENCE FOR CAROLYNE JAGGER

Due to pregnancy, your authorization is requested to grant a three (3) month leave of absence, effective October 21, 1973 for Carolyn Jagger, a Utility Clerk in the Office of the City Clerk. She has been employed in that capacity four (4) years. It is further requested that this leave be granted with no effect upon her eligibility on her benefits within the Personnel Policy.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

It was moved by Councilman Erickson, seconded by Freeman, that this leave of absence be granted as recommended. Roll call as follows: Ayes, 4; No, none; carried.

Another memo from the City Clerk was submitted, as follows:

OCTOBER 25, 1973

City of Idaho Falls
October 25, 1973

MEMO

TO: Honorable Mayor and City Council

Gentlemen:

The Police Department has accumulated sufficient impounded merchandise to warrant a City-sponsored auction sale. We hereby request authorization to conduct same at the usual time and place on November 17, 1973.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

It was moved by Councilman Erickson, seconded by Freeman, that the City Clerk be authorized to conduct a City sponsored auction sale at the usual time and place on the date as indicated and that he also be authorized to publish legal notice accordingly. Roll call as follows: Ayes, 4; No, none; carried.

The City Clerk introduced an agreement between the City and Union Pacific Railroad by reading aloud this letter:

Union Pacific Railroad
August 21, 1973

Honorable S. Eddie Pedersen
Mayor Idaho Falls
City Hall
Idaho Falls, Idaho

Dear Mayor Pedersen:

Confirming recent telephone conversation concerning sale of property at Idaho Falls for parking purposes required in connection with your new Electrical Administration Building, we are attaching duplicates of Right-of-Entry Letter dated August 16th for your acceptance and return of copy carrying our approvals to this office. Upon execution and mailing, you may occupy the property immediately and commence your construction work.

Union Pacific is delighted at being able to assist you in this regard.

Very truly yours,
s/ H. G. Baker

OCTOBER 25, 1973

Following, then, is the Agreement as above indicated:

UNION PACIFIC RAILROAD COMPANY

Portland, Oregon
August 16, 1973

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

RE: LAND FOR ELECTRICAL ADMINISTRATION BUILDING

Dear Mayor Pedersen:

Reference is made to negotiations between the City of Idaho Falls and the Oregon Short Line Railroad Company and the Union Pacific Railroad Company for the purchase of two parcels of land owned and controlled by said companies for use in connection with the construction of a new Electrical Administration Building by the City of Idaho Falls. It is my understanding that the City desires to purchase Parcel "A", a copy of the legal description of which is attached hereto as Exhibit "A" and incorporated herein by this reference, for the purpose of converting it into and using it as a parking lot for the new Electrical Administration Building referred to above. It is my further understanding that the City desires to purchase Parcel "B", a copy of the legal description of which is attached hereto as Exhibit "B" and incorporated herein by this reference, for the purpose of widening Capital Avenue. It is my further understanding that the City has made a firm offer of 60 cents/square foot for both parcels of land, said price to be paid in a lump sum upon delivery to the City by said companies of deeds to and title insurance policies covering the parcels in question, and that the sale of said properties to the City will be recommended to the Executive Committees of the Oregon Short Line Railroad Company and the Union Pacific Railroad Company on these terms. It is my further understanding that subject to and pending the final approval of the sale of these two properties by said companies on the terms set forth above the City desires to commence immediate construction of a parking facility on the land described in Exhibit "A" and also desires to commence widening Capital Avenue on the land described in Exhibit "B". Oregon Short Line Railroad Company and Union Pacific Railroad Company hereby agree that the City may, during the term of this permit and subject to all other conditions contained herein, enter upon the property described in Exhibits "A" and "B" for the purposes above stated.

All of the aforesaid work shall be performed at such times and in such manner as not to endanger, interfere with, interrupt or delay operations of the Railroad Companies or damage railroad property, nor cause injuries to persons or damage to property for which the Railroad Companies may be responsible. Before commencing any such work the City of Idaho Falls shall give reasonable notice to the Railroad Companies through their Superintendent at Pocatello, Idaho.

It is understood that the City of Idaho Falls will indemnify and hold harmless the Oregon Short Line Railroad Company and Union Pacific Railroad Company from and against any and

OCTOBER 25, 1973

all liability, damage, claims, costs and expenses, arising from or growing out of any injury to or death of persons whomsoever, or loss of or damage to property whatsoever, resulting directly or indirectly from the performance of such work upon the premises described in Exhibits "A" and "B".

The license and permission hereby granted shall be effective until terminated by delivery of deeds for the Oregon Short Line Railroad Company and Union Pacific Railroad Company conveying the described property to the City of Idaho Falls, which shall be no later than sixty (60) days following the date hereof. At the time of delivery of the deeds the full purchase price will be paid by the City of Idaho Falls. All taxes and assessments for 1973 shall be prorated as of August 16, 1973.

Please indicate your acceptance and understanding of this agreement to permit entry in the space provided below and return Union Pacific Railroad Company's and Oregon Short Line Railroad Company's copy to them.

OREGON SHORT LINE
RAILROAD COMPANY
UNION PACIFIC
RAILROAD COMPANY

BY: s/ H. G. Baker
General Manager

The foregoing agreement is accepted and agreed to upon the terms stated and executed by the Mayor of the City of Idaho Falls, Idaho, and attested by the Clerk, on this 25th day of October, 1973, pursuant to authority vested in said Mayor by a Resolution duly passed and adopted by the City Council of the City of Idaho Falls, Idaho, on the 25th day of October, 1973.

CITY OF IDAHO FALLS
BY: s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

EXHIBIT "A"

Beginning at the centerline P. I. of Capital Avenue and Cliff Street and running thence along the centerline of Capital Avenue N. 28° 51' 13" E. a distance of 250.15 feet, thence N. 61° 07' 13" W. a distance of 72.0 feet to the true point of beginning and running thence N. 61° 07' 13" W. a distance of 350.08 feet, thence N. 28° 52' 47" E. a distance of 87.50 feet, thence S. 61° 07' 13" E. a distance of 350.04 feet, thence S. 28° 51' 13" W. a distance of 87.50 feet to the true point of beginning and containing 30.630 square feet or 0.703 acres.

OCTOBER 25, 1973

EXHIBIT "B"

RIGHT OF WAY ON CAPITAL AVENUE FROM UNION PACIFIC RAILROAD

Beginning at the centerline Point of Intersection of Capital Avenue and Cliff Street and running thence N. 28° 51' 13" E. a distance of 250.15 feet, thence N. 61° 07' 13" W. a distance of 38.00 feet to the TRUE POINT OF BEGINNING and running thence N. 61° 08' 13" W. a distance of 34.00 feet, thence N. 28° 51' 13" E. a distance of 87.50 feet, thence S. 61° 07' 13" E. a distance of 34.00 feet, thence S. 28° 51' 13" W. a distance of 87.50 feet to the TRUE POINT OF BEGINNING and containing 0.068 acres.

It was moved by Councilmember Hovey, seconded by Gesas, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, none; carried.

From the Public Works Director, this memo was forthcoming:

City of Idaho Falls
October 24, 1973

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

On October 16, 1973 three bids were received for the installation of the Woodruff Avenue Interceptor Sewer as follows:

Burggraf Construction Company	\$153,033.00
Goodwin Construction Company	177,145.00
Hartwell Excavating Company	210,760.00

These bids have been checked and tabulated and we are recommending that Burggraf Construction Company be awarded the contract for \$153,033.00 subject to the final confirmation from EPA.

Respectfully submitted,
s/ Don F. Lloyd

It was moved by Councilman Gesas, seconded by Freeman, that the low bid of Burggraf Construction Company in the amount of \$153,033.00 be accepted for the project as described, subject to final approval from E.P.A. Roll call as follows: Ayes, 4; No, none; carried

Next, from the Public Works Director, came this memo:

City of Idaho Falls
October 24, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd

SUBJECT: WELL SITE NO. 13

OCTOBER 25, 1973

We are attaching hereto the original and one copy of an Option Agreement for the purchase of a site for Well No. 13. This option calls for \$10 payment for the privilege of drilling a test well, after which if the well proves successful, the property is to be purchased for a total of \$3,000.00. The Public Works Committee has reviewed this proposal and are recommending that the Mayor and City Clerk be authorized to sign the City's approval.

Respectfully submitted,
s/ Don F. Lloyd

It was moved by Councilman Gesas, seconded by Freeman, that the Option Agreement, as described, be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, none; carried.

Finally, by memo, the Public Works Director presented an Outside The City Water Service Contract in favor of Furniture Fair. It was moved by Councilman Gesas, seconded by Freeman, that this Contract be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 4; No, none; carried.

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

City of Idaho Falls
October 24, 1973

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, Director
SUBJECT: DIVISION STREET RIGHT-OF-WAY

Between 12th and 14th Streets, the original platting allowed 9.77 feet for Division Avenue. Subsequent platting discontinued Division Street at 12th Street so that between 12th and 14th Streets, only a 9.77 foot right-of-way remains. This right-of-way is being used as an easement for a water main.

We have been requested by a Mr. Thurm Peterson to vacate this right-of-way in favor of a utility easement. After conferring with the Attorney, Public Works Committee is recommending that this right-of-way not be vacated but rather, be treated as an easement and adjacent property owners be so notified of Mayor and Council action.

s/ Don F. Lloyd

It was moved by Councilman Gesas, seconded by Freeman, that the right-of-way in question be not vacated but, instead, it continue to be treated as an easement and that adjacent property owners be advised accordingly. Roll call as follows: Ayes, 4; No, none; carried.

At the request of the Mayor, this letter was presented and read aloud:

OCTOBER 25, 1973

October 1, 1973
Art Guild
Box 2542

Mayor S. Eddie Pedersen and City Council

Gentlemen:

The members of the Idaho Falls Art Guild would like to express their gratitude and appreciation for the many courtesies and services performed by them by the City of Idaho Falls.

Since the Guild is in the process of incorporating, the members feel that it now would be an appropriate time to proceed with lease arrangements with the City of permanent use of the Eagle Rock Gallery. Would you please have the City Attorney draw up a lease agreement between the City and the Idaho Falls Art Guild for the gallery for as long as would be legally feasible.

We would be happy to attend the City Council Meeting if representation is desirable.

Consideration of this lease would be appreciated at your earliest convenience, and let us know your decision. Please contact Goldie Hales.

It was a previous decision of the City to extend the Guild a lease, but nothing has been done to date.

Sincerely,
s/ Goldie Hales

At the invitation of Councilman Freeman, Parks and Recreation Director Craner appeared briefly to say that he had met with the officers of the Idaho Falls Art Guild but it was decided that that group should confer further with the Parks and Recreation Council Committee to determine terms and conditions of the proposed lease agreement. It was moved by Councilman Freeman, seconded by Erickson, that this matter be referred to that Committee for study and consideration. Roll call as follows: Ayes, 4; No, none; carried.

The City Clerk then read this letter:

Colorado, Utah, Idaho
International
October 18, 1973

The Honorable Ed Pedersen
Mayor of Idaho Falls
Mayor's Office
308 C Street
Idaho Falls, Idaho

Dear Mayor Pedersen:

OCTOBER 25, 1973

We are pleased to announce the construction of a new continuous rendering facility, pet food, and hide processing plant in the Nampa-Boise area. This plant, expected to be completed by November 1, 1974, will process raw material from all of our existing Idaho plants.

We are also pleased to announce construction of a pet food plant in Twin Falls and Idaho Falls. These plants will not render or otherwise cook the raw material but will utilize freezing and boxing techniques common to the pet food industry.

Both the Twin Falls and Idaho Falls plants will serve as transfer stations and pet food plants only. All pickup services in each of the respective cities will continue, however, all rendering will take place in the new plant or in our Ogden, Utah facility.

The Nampa-Boise plant will utilize the most modern odor control and processing equipment and will offer a broader range of services to all of Idaho.

I wish to thank you and the City of Idaho Falls for its cooperation in the past and we are certain that this new broader scope of services will be beneficial to the community.

Very truly yours,
C. U. I. INTERNATIONAL
By: s/ John A. Gagliardi

It was moved by Councilman Freeman, seconded by Erickson, that the Mayor be authorized to reply to this letter, expressing appreciation for the cooperation received in this regard. Roll call as follows: Ayes, 4; No, none; carried.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 8:10 p.m.; carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
