

**APRIL 26, 1973**

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The City Council of the City of Idaho Falls, Bonneville County, State of Idaho, met in a recessed regular meeting on Thursday, the 26<sup>th</sup> day of April, 1973, at the hour of 7:30 P.M. at the City Council Chambers in the City Hall of Idaho Falls, Idaho; due and legal notice of said meeting having been given as required by law and the rules and ordinances of the City.

On roll call, the following members, constituting a quorum, were present: Mayor S. Eddie Pedersen; Councilmen Melvin Erickson, Jim Freeman, Norris Gesas, Paul Hovey, Gilbert Karst, and Jack Wood. Also present: Velma Chandler, Deputy City Clerk; Arthur Smith, City Attorney; John Evans, City Controller; Steve Harrison, Electrical Engineer; Bob Pollock, Police Chief; Lorna Coughlin, City Treasurer; Rod Gilchrist, BCOG Director; Les Corcoran, Fire Chief; Jim Collins, Personnel Director.

Minutes of the last recessed regular meeting, held April 12<sup>th</sup>, 1973, were read and approved.

The Mayor welcomed a Government Class from Skyline High School and thanked them for their presence and their interest.

The Mayor asked Wayne Woolfe, Water & Sewer Superintendent, to escort Leon Wilson to the Council Table. The Mayor commended Mr. Wilson for his 22 years of dedicated service, primarily in caring for the wells and pump house grounds, presented him with an inscribed billfold and wished him well during his future years of retirement. Mr. Wilson then received congratulations from all City Officials around the Council Table.

Mr. Walter Rettig, 1574 Lola, appeared before the Council regarding the speed limit within the school zone along Skyline Drive. He said that it is impossible to see the speed limit signs until after one had passed them and asked if flashing lights could be installed on the back of the sign to draw attention to the approaching school zone speed limit. He questioned if it was fair to enforce school zone speed limits on days when school was not being held. It was moved by Councilman Erickson, seconded by Wood, that these suggestions be referred to the Traffic Safety Committee for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Kelly Flynn, a student with the Skyline Government Class, appeared before the Council, asking about the intent of the City to annex the North Lewisville area and, when accomplished, how the water and sewer construction costs for property off Anderson Avenue would be met: The Mayor explained that there should first be an indication of annexation interest by all affected property owners. The Engineering Department would then prepare a design concept and call an informal public hearing to determine annexation feasibility. The Mayor continued his explanation by saying that there would be a water and sewer connection fee to all persons so served and that said persons would then be billed monthly for water and sewer service.

License applications for RESTAURANT, Tautphaus Park Funland; PHOTOGRAPHER, The Green Fairy; HOTEL, Ross Hotel; DANCE HALL, Matador; MASTER PLUMBER, Wally's Plumbing & Heating, Atlas Inc.; JOURNEYMAN PLUMBER, Lyn Andrews, Wallace Pendleton; CLASS A CONTRACTOR, Atlas, Inc.; CLASS C JOURNEYMAN, REFRIGERATION, WARM AIR, C. M. Mays; CLASS D JOURNEYMAN, WARM AIR HEATING, Wilford Wilcock; APPRENTICE ELECTRICIAN, Kirk H. Thurman, Daniel Clifford; BARTENDER, DeAnna McKenna, Nicholas Musok, Lani Houghton, Ray Lumby; TAXI CAB DRIVERS, Charles B. Sharp, Richard Rhodes, 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, 6; No, none; carried.

The City Clerk reported that, in the interests of time, a legal notice was being published calling for a zoning hearing on May 10<sup>th</sup>, 1973, and that this was being done without formal Council approval. It was moved by Councilman Wood, seconded by Karst, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

The following Personnel Policy amendment was presented:

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**PERSONNEL POLICY AMENDMENTS**

**ARTICLE IX - VACATION**

Amend to clarify Section 1. (b) to read "no employee may carry over more than twenty-one (21) days of unused paid vacation into next calendar year."

Amend Section 1.(a) and add "the maximum eligibility for accumulated vacation pay at termination or retirement shall not exceed twenty-one (21) vacation days effective January 1, 1975.

**ARTICLE XIV - SICK LEAVE**

Amend by addition of Section 8. Sick leave conversion 8(a). Sick leave conversion benefit paid to eligible employee when: 1. Employee retires. 2. Dies while still employed (benefit would go to beneficiary or estate). 3. Employee is permanently disabled and qualified for disability retirement. 8(b). If an employee quits or is fired the employee is ineligible for conversion benefit. 8(c). Conversion benefit is computed as follows: Actual time currently on books plus any additional accumulated time minus 480 hours ineligible time, i.e., time that could be paid at 100% if taken when sick, minus any recorded time used. The balance of these hours multiplied by the hourly rate equals eligible dollar amount.

The benefit is paid at:

- 10% of first one thousand (1,000) hours
- 5% of next five hundred (500) hours
- 2% of all additional hours

It was explained that the foregoing amendment had previously been informally approved by the Council. It was moved by Councilman Karst, seconded by Hovey, that this action also be ratified. Roll call as follows: Ayes, 6; no, none; carried.

Also in need of ratification was the previously granted authorization to advertise for bids on a 500 KVA 3-phase Padmount transformer for the Stardust Motel. It was moved by Councilman Hovey, seconded by Gesas, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

Still another matter in need of formal Council ratification was explained by this memo:

City of Idaho Falls  
April 23, 1973

Honorable Mayor and Councilmembers

At an informal Council Session, action was taken on the acceptance of bid of General Electric Supply Company for \$28,400.00 for light poles and fixtures for LID #45. Also, approval was granted to advertise for bids for a transformer for Electric Division for the Stardust Motel.

The Purchasing Department requests formal ratification of the above action.

s/ W. J. Skow  
Purchasing Department

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

Finally, under matters requiring Council ratification, this memo was presented.

City of Idaho Falls  
April 25, 1973

Honorable Mayor and Councilmembers:

At an informal Council Session, action was taken on the acceptance of two bids, one for a Greens Mower for the Golf Course, Boyd Martin Company, Salt Lake City for \$3335.00, one for a four-wheel Broom Type Sweeper for the Street Department, Arrowhead Machinery Company, Boise for \$16,700.00 with trade-in.

The Purchasing Department requests formal ratification of the above action.

s/ W. J. Skow  
Purchasing Department

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

From the Public Works Director came this memo:

City of Idaho Falls  
April 24, 1973

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: FIRST STREET ESCROW AGREEMENTS C 27-gg

Attached hereto are two escrow agreements for the improvement of First Street. This improvement starts about the east boundary of Falls Valley and extends about 600 feet +.

The Public Works Committee has reviewed these escrow agreements and are recommending that the Mayor and City Clerk be authorized to sign the City's approval.

Respectfully submitted;  
s/ Don

Councilman Gesas explained that these agreements, both from the Bonneville Improvement Company, pledged said company for its share of asphalt improvement on First Street and that funds for same had been placed in escrow. It was moved by Councilman Gesas, seconded by Karst, that these agreements be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Public Works Division was presented, as follows:

City of Idaho Falls  
April 24, 1973

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TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: WATER MAIN RENEWAL ON CHAMBERLAIN AVENUE

The Plans and specifications are completed for a 12 inch water main replacement on Chamberlain Avenue. This replacement is necessary to adequately supply local industries. We are requesting authorization for the City Clerk to advertise for competitive bids.

Respectfully submitted,  
s/ Don

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

Reference is made to page 344 in this book of minutes and, more specifically, a request from Mr. Stephen Pulley that he be permitted to rent an apartment in an R-1 zone. It was noted that the matter was tabled at that time. The matter was re-introduced by this memo from the Building Official:

City of Idaho Falls  
April 25, 1973

MEMORANDUM

TO: Honorable Mayor and Council  
FROM: Building & Zoning  
SUBJECT: APARTMENT IN R-1 RESIDENTIAL ZONE

At the last Council meeting, Mr. Stephen Pulley requested a variance to rent a basement apartment at 965 Orlin Drive in R-1 residential zone. This variance was referred back to our office for additional information.

On August 28, 1969, Mr. Pulley was issued a \$2.00 building permit for \$100.00 valuation to finish a bathroom in his basement, a plumbing permit for a lavatory, water closet and shower. When this work was completed and the Inspectors finalized the job, Mr. Pulley, without any other permit, installed all kitchen cabinets and sink, making this basement usable for an apartment. Without further inspections, we had no knowledge of this until the neighbors called in complaints. In checking this out, we discovered the apartment and had it vacated at that time.

Respectfully submitted,  
s/ Paul Lundbalde  
Building Official

Noting Mr. Pulley in the Council Chambers, Councilman Wood asked him if he was in agreement with the statements made in the foregoing memo. Mr. Pulley said the sink and the cabinets had been installed when inspection was made. Building Official Lundblade said that a permit would not have been issued if this had been the case. Plumbing Inspector Isenhardt, also present in the Council Chambers, appeared briefly to report that only the rough plumbing had been installed

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when his inspection was made and that he was never notified or called for a final inspection. Isenhart continued by saying that the permit called only for bathroom facilities. Councilman Wood said that, in view of these facts, he had no alternative but to recommend denial. It was moved by Councilman Wood, seconded by Karst, that this request for an apartment in an R-1 zone be denied. Roll call as follows: Ayes, 6; No, none; carried.

This appeal from Mr. Edwin Grayson for a sign variance was presented:

City of Idaho Falls  
April 26, 1973

MEMORANDUM

TO: Honorable Mayor and Council  
FROM: Building and Zoning  
SUBJECT: SIGN VARIANCE

Mr. Edwin M. Grayson requests a variance to erect a 4 feet by 6 feet single faced, non-illuminated ground sign in front of his office building at 458 Lomax Street in an R-3 zone. The sign will be 10 feet back off the sidewalk. Ordinance #1115 requires signs in this zone be attached to the building.

Respectfully submitted,  
s/ Paul Lundblade

It was moved by Councilman Wood, seconded by Freeman, that this matter be tabled, that the Building Official advise Mr. Grayson to get approving signatures from near-by tenants and that the appeal then be resubmitted. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor asked the City Clerk to read the following letter:

420 13<sup>th</sup> Street West  
Billings, MT  
April 11, 1973

Mayor of Idaho Falls  
City Hall  
Idaho Falls, Idaho

Dear Mr. Mayor:

I am writing a report on the water shortage in our town and I am required to write other towns to see if your town has the same problems as our town. I would appreciate you sending me any information you may have on the water shortage problem that Idaho Falls may have had in the past and what your City did to correct them.

Very truly yours,  
s/ William Spoerl

The Mayor explained that he wanted this letter read as he felt it was timely when the Council was considering the upgrading of the City water system. He said that the City of Idaho Falls had ample

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water if used wisely. It was moved by Councilman Erickson, seconded by Gesas, that this letter be referred to Wayne Woolf, Water & Sewer Superintendent, for reply. Roll call as follows: Ayes, 6; No, none; carried.

Noting from the agenda that a resolution was about to be presented pertaining to L.I.D. No. 45, the Mayor asked the City Attorney to explain for the benefit of the visiting students, what an L.I.D. was and, more specifically, what L.I.D. No. 45 would accomplish.

After said explanation, Ned Mullin, 2370 South Boulevard, asked if the L.I.D. No. 45 improvement would be similar to the improvement made on Shoup Avenue and adjacent cross streets and was answered in the affirmative by the Mayor.

Councilman Gesas introduced the following Resolution in writing and moved its adoption:

**R E S O L U T I O N (Resolution No. 1973-11)**

“WHEREAS, the City Engineer and the Committee on Streets of the City Council have made out an Assessment Roll for Local Improvement District No. 45, according to the provisions of Section 50-1718, Idaho Code, and the provisions of Ordinance No. 1312 and have certified the same to the Council as provided by law:

NOW, THEREFORE, BE IT RESOLVED:

That Thursday, the 24<sup>th</sup> day of May, 1973, at 7:30 o'clock p.m. of said day, at the Council Chambers in the City Building in the City of Idaho Falls, Idaho, be, and the same hereby are appointed and fixed as the time and the place when and where objections to said Assessment Roll by the property owners in said District shall be heard, and that said Assessment Roll be filed in the Office of the City Clerk.”

Councilman Wood seconded the adoption of said Resolution and the same, on being put to a vote, was unanimously carried by the affirmative vote of all Councilmen present, the Councilmen being as follows: Councilman Erickson, Councilman Freeman, Councilman Gesas, Councilman Hovey, Councilman Karst, Councilman Wood.

The City Clerk requested authorization to advertise a Notice of Time to File Objections to Assessment Roll, L.I.D. No. 45, calling for a public hearing on May 24, 1973, for hearing and considering objections to the Assessment Roll, L.I.D. No. 45. It was moved by Councilman Gesas, seconded by Karst, that publication of this Notice be approved. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood presented a Supplemental Agreement to the F.A.A. Lease Contract covering the Airport Traffic Control Tower. It was noted that this was necessary to correct a computation error in the rent under the original Lease Agreement No. DOT-FA71WE 1236. It was moved by Councilman Wood, seconded by Gesas, that this Supplemental Agreement No. 1 be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood then presented an F.A.A. Project Application for crash-fire-rescue equipment plus two radios for snow removal trucks to be used at the Airport. Wood explained this equipment was necessary as part of the requirements for compliance with regulations governing airport certification. It was moved by Councilman Wood, seconded by Gesas, that this application be approved and the Mayor and City Attorney be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Freeman proposed that the City advertise for bids for a comfort station at Tautphaus Park. Freeman explained that this facility was included in a Bureau of Outdoor

Recreation Project currently being developed. He said plans have been submitted to and approved by the B.O.R. and the Idaho State Parks and Recreation Department. It was moved by Councilman Freeman, seconded by Erickson, that the City Clerk be authorized to advertise for bids on the project as described. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Hovey asked for authorization for the Mayor to sign a contract with I.B.E.W., Local 57 for a one-year Working Agreement, when prepared. Said Agreement would provide a 5.5% salary increase plus 1.3% fringe benefits which would include additional pay for longevity and additional safety gear. It was moved by Councilman Hovey, seconded by Gesas, that the Mayor be authorized to sign said Agreement when prepared. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Hovey introduced a site proposal for a new electrical building, noting that, in his opinion, this was a matter of substantial importance to the entire City. He said the site location had been the subject of intense study for over a year, recognizing the need to replace the old Tautphaus Park log building as electrical headquarters for the storage and housing of valuable electrical inventory and equipment. Hovey said a thorough investigation had been made of all City-owned lands as a potential site and that these had been ruled out for one reason or another. Hovey continued by saying that, in the opinion of the Council Electrical Committee, the Westergard property within the Urban Renewal area bounded by the railroad spur, Cliff Street, Capital Avenue, and the Eagle Rock Power Plant would be a suitable and desirable location.

Councilman Erickson then registered an opinion to site location for a new electrical building, prefacing his remarks by saying, that, basically, he supported the need for said building. However, Erickson said that following the dictates of his own belief on the matter, he could not go on record as favoring this site location as proposed on the grounds that one of the primary objectives of Urban Renewal was to eliminate blight areas and to remove all obsolete and antiquated structures preparatory to redevelopment in a manner that would produce the tax base which a City-owned building would not accomplish. Moreover, continued Erickson, a building of this type in this location would be in conflict with the traffic grid philosophy because of the traffic that would be created by as many as 40 vehicles. Erickson continued by saying that, in his opinion, construction of an electrical building in the area as proposed would be too costly, taking into consideration the acquisition price of the land. He said, originally, it was the common consensus of opinion that construction of an electrical building in this area would provide credits against the City's portion of matching funds under the Urban Renewal Program but it was later determined that there was little likelihood that this would be of major significance. Erickson concluded his remarks by saying that he favored, instead, a location on City owned property such as the area adjacent to the City garage because it was City owned and the vehicles would be close to said garage for servicing.

In answer to a question by Councilman Wood, Erickson said he did favor construction of a sports complex within the Urban Renewal area. Wood said this type of development would not add to the tax base any more than a City owned electrical building. Wood said he felt the electrical building would add to the tax base, at least indirectly, because of electric revenue, a portion of which has annually been transferred to the General Fund. Wood continued by saying that a modern building in this area would attract other adjacent development. Wood concluded his remarks by saying that, in his opinion, the City should acquire the area in question whether or not it is developed, to insure room for future expansion and to insure, also, the manner in which it would ultimately be developed. He said the area in question would not be particularly desirable for anyone else to develop, and on the other hand, would serve as a buffer zone for adjacent development.

Councilman Karst said he objected to the theory that the building would not add to the tax base. He said the property in question was not even a part of the urban renewal area, initially, but was included by amendatory action at a later date. He said its location is so hemmed in that it

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would not be desirable for most any other use. Karst concurred in a previous statement that construction of a modern electrical building would encourage other development.

In response to an invitation by Councilman Hovey, Electrical Engineer Harrison appeared to say that the proposed location would be very convenient for electrical operational purposes and that there would be a savings of at least one employee by combining the duties of utility men and dispatchers. He said the location would provide adequate access to and from all directions

Councilman Hovey drew attention to the fact that Capitol Avenue was in the process of being improved and, being a through street, would provide excellent access. He said he felt certain economics could be effected if the entire Electric Division was in close proximity, one department to another.

In answer to a question by Gary Eliasson, Post Register reporter, as to other sites that had been considered, it was learned that certain available airport property was studied and, after proper investigation, was abandoned because of presence of metholene gas below ground surface; and that the City Garage property had also been considered but a decision had been made by most Councilmen that development costs would be prohibitive.

Eliasson then asked what would be done with the existing electrical administrative office. The Mayor said there were many over-crowded offices that could use this space to advantage.

Kelly Flynn reappeared briefly to ask why the area around the City Garage should not be used as a large complex to house all utilities. Councilman Gesas said that, although this idea had merit, the cost would be so substantial it would require a general obligation bond issue, which obligation the City is now in no position to assume.

Mr. Flynn asked several other questions pertaining, generally, to the workings of City government and, in view of the hour, was invited by Councilman Gesas, to remain after adjournment and his questions would be answered.

In the absence of further comment, it was moved by Councilman Hovey, seconded by Gesas, that the City of Idaho Falls give formal written notice to the Community Redevelopment Commission of its intention to purchase the property as previously described within the Urban Renewal Area and that the City Attorney be authorized to negotiate with that agency on a firm purchase price. Roll call as follows: Ayes, 5; No, one; carried. Councilman Erickson voting no.

This ordinance was introduced by City Attorney Smith:

**ORDINANCE NO. 1357**

AN ORDINANCE AMENDING SECTIONS 4-5-15 AND 4-5-35 OF THE CITY CODE OF IDAHO FALLS, IDAHO, BY FIXING THE AMOUNT OF THE SERVICE CONNECTION CHARGES AND THE AMOUNT OF THE WATER RATES CHARGED TO CUSTOMERS USING IDAHO FALLS CITY WATER; SETTING FORTH THE SCHEDULE FOR THE RATES SO FIXED; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

Certain typographical errors were noted. Therefore it was moved by Councilman Karst, seconded by Gesas, 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?", subject to final

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correction and approval by the City Attorney after conferring with the City Clerk and the Public Works Director. Roll call as follows: Ayes, 6; No, none; carried.

It was noted that the foregoing ordinance would not be effective until June 1<sup>st</sup>, 1973, giving ample time for any and all corrections to be made.

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

ATTEST: s/ Velma Chandler  
DEPUTY CITY CLERK

s/ S. Eddie Pedersen  
MAYOR

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