

JANUARY 6, 1972

The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a regular meeting on Thursday, 6th day of January, 1972, at the hour of 7:30 o'clock P.M. at the City Council Chambers in the City Hall in the City 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 Jim Freeman, Melvin Erickson, Jack Wood, Paul Hovey, Dale Parish, and Gordon Nelson. Also present: Velma Chandler, Deputy City Clerk; Arthur Smith, City Attorney; Don Lloyd, Public Works Director; Les Corcoran, Fire Chief; Bob Pollock, Police Chief; Steve Harrison, Electrical Engineer.

Minutes of the last recessed regular meeting, held December 21, 1972 were read and approved.

Recognizing that no official business could be transacted until the Councilmen-elect were inaugurated, the Mayor called Messrs James R. Freeman, Norris G. Gesas and Gilbert L. Karst to the Council table. He then proceeded to swear them in as Councilmen for the next four years, after which they subscribed to the oath of office. The Mayor then presented each of them with a certificate of election and they received congratulations from the Mayor and all other City Officials around the Council table. Both Councilmen Nelson and Parish expressed parting words including their appreciation for having had the opportunity to serve their City in this capacity for the past eight years.

The Mayor asked the Deputy City Clerk to again call the roll, reflecting this change in Council membership, resulting in the following: Mayor S. Eddie Pedersen; Councilmen Norris Gesas, Jim Freeman, Melvin Erickson, Jack Wood, Gilbert Karst and Paul Hovey.

The Mayor asked for nominations for President of the Council. Councilman Erickson nominated Jim Freeman to this position. There were no further nominations. It was moved by Councilman Erickson, seconded by Wood, that Jim Freeman be elected as President of the Council. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor then proceeded to appoint Council Committees as follows, the first named, in each instance, to act as Chairman:

POLICE	Mel Erickson Jack Wood
FIRE	Jim Freeman Paul Hovey
PUBLIC WORKS	Norris Gesas Gilbert Karst
PARKS AND RECREATION AND CEMETERIES	Jim Freeman Mel Erickson
ELECTRICAL	Paul Hovey Norris Gesas
AIRPORT	Jack Wood Norris Gesas

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FINANCE, PERSONNEL AND PUBLIC BUILDINGS

Gilbert Karst
Paul Hovey

PLANNING AND ZONING, PUBLIC HEALTH

Jack Wood
Gilbert Karst

GOLF COURSE

Mel Erickson
Jim Freeman

The Mayor then confirmed the appointment of all Division Directors. It was moved by Councilman Freeman, seconded by Erickson, that all these appointments be approved. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor then presented his State of the City Message, as follows:

FROM THE DESK OF – S. EDDIE PEDERSEN

STATE OF THE CITY – 1972

As we witnessed three members of the Idaho Falls City Council complete 8 years of continuous service and dedication to their community, we should be extremely grateful that men of this caliber would be willing to give up a portion of their valuable time and capabilities to the betterment of the living quality within our municipality.

Following this, the oath of office was administered to three men who possess a wealth of business and professional knowledge upon which we can draw for the next 4 years. Never have we seen finer and more competent people aspire to these positions. I am sure the voters will not be disappointed.

As we approach the challenges which lie ahead, it shall not be all rosy. Were we to examine a graph of the cost of living index, we would soon realize that the spiraling trend is approaching a near “curse”.

If an employee’s salary is not kept pace with this rising cost, then, in fact, it amounts to a salary reduction. This problem is real, as recognized by the words of our President, and it is of National magnitude. It behooves us, as we have taken the oath of office, to give the very utmost of efficiency in the administration of this City government. Beyond the basic functions of public health, safety, welfare and other duties of government, it has evolved that, through the years, we have attained tremendous proprietary duties.

The responsibility of operating the many utilities and services we render has attained great magnitude. We are now given 84 days in which to prepare a budget and, in our close scrutiny of the programs recommended for the coming fiscal year, we now must equate them all to their effect on the broader scope of human relations. We dare not continue to think of human relations in its time-work diminished breadth of this cliché by referring strictly to “civil rights.” Our ability to attain such things as “good business climate”, “good environment”, “physical and cultural development”, are the things which are going to depend upon the decision of wise utilization of all our resources and capabilities. Our interest in

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human relations must not only show present concern for our fellow men; it must also strive to build a society which can endure in spite of society itself. We are, as administrators of a City Government, called upon to make decisions which will have a telling effect on generations yet unborn.

In our aspirations to attain these high goals to which we are dedicated, let us not have our initiative dimmed by they who would say "it is impossible". It is proven that we have, within our community, the technological skills and professional talent to perform what was once classed as "miracles". But miracles don't just happen; we have to work at them. In total, we are a relatively small community in a sparsely settled state. This, today, is an asset. Many of the mistakes have not yet been made. By accepting our responsibility and portion of human relations, thrust must be guided toward the end that we overcome tunnel-vision, polarization and selfish motivation.

The first priority for 1972 should be to establish and perfect a strong organizational structure for planning and zoning within Bonneville County. Within this organization, professional emphasis should be directed toward land utilization by a common professional staff.

Our safety record reveals that we have recognized the importance of good working practices and conditions. Last year, our accident experience rate was reduced by over 20%. This has been reflected in the cost of the premium paid to State Insurance Fund for workmen's compensation, resulting in a savings of 21%. However, as of January the first, we have been notified that workmen's compensation premiums will take a staggering rise of cost of 44.2%. This still leaves a 23% rise in our cost this year. It behooves us to redouble our efforts toward the implementation of safety practices in all departments.

The Idaho State Safety Council is meeting tomorrow morning in Boise, where we will be represented, to find out the scope of the new federal occupational and safety health act. These mandatory safety requirements are now stringent, not only in the type of equipment to be utilized but because many standards of working conditions and practices commonly accepted today are now forbidden. Implementation of these standards will require an entirely new philosophy for writing specifications for projects in the future.

Because of the effect of the appropriations which are made by the state legislature upon our estimated revenue, it is extremely difficult to finalize the budget until the legislature adjourns. Our fine communications with the individual members of the legislature must continue.

We are delighted that the legislature, in their last session, saw fit to increase the direct appropriations of the cities from the tax on gasoline. This amounted to more than \$84,000.00 for the third quarter of the 1971 fiscal year for Idaho Falls.

It was extremely disappointing, though to be made aware that, after our budget was prepared and approved and during a later special session, our anticipated revenue from the liquor apportionment was reduced more than \$53,000.00.

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Time will not permit my going into details relative to the total accomplishments of the public works division. Needless to say, the secondary sewage treatment plant project leads the list for outstanding accomplishments. It is quite obvious that the breakup of the City streets this winter is probably the most critical problem that we have at the moment. Emphasis on saving what we have will be the only answer. The asphalt on the runway of the Airport must have a complete mat laid over the present surface. It is my suggestion that a portion of the revenue derived from the mill levy be allocated for this purpose and reduce that portion of the tax for general fund proportionately. Sixty-four percent of the cost will be born by the FAA.

As I stated, because of the City operating its own utilities and sanitation department, just slightly over one-sixth of the total revenue of the City of Idaho Falls is generated from an ad valorem tax on property. Nearly fifty percent of this revenue for our 1971 budget was generated by the sale of electricity. Not only is it important that we look to the future for continued service at the lowest possible cost, consistent with good business practices, but we must also have a reliable source of electricity in the future.

With the projected deficit of up to 100,000 kilowatts of electrical power by the end of the next decade in the northwest alone, it is essential that all regional utilities combine their efforts not only in planning, but also in financing and in public awareness. The utilities have had a good beginning. The existence of the northwest public power association alone has encouraged all of the public utilities of this region to share their problems and solutions for some time.

Further, the establishment by Northwest Public Power Association of the Public Power Council had vastly increased the combined planning role of these public utilities. Since deficit kilowatts are a problem of all utilities, the joint Power Council which adds four private utilities to all the public ones continues to expand the corporation with Bonneville Power and Northwest Public Power Association in advisory capacities. It would be extremely beneficial if all private Northwest utilities could join in the membership; for, once again, it is the individuals comprising the management of the utilities who can continue the lines of communication and this is human relations in action.

With problems of financing more and more power plants, meeting the environmental goals, and maintaining a time schedule, the communication between utilities, the public, and government must be maintained. The utilities have begun the dialogue. Now the public, through such groups as the Eastern Idaho Nuclear Industrial Council, must join in an even larger role with the governmental units responsible for natural resources to meet the needs of the future.

The Divisions under civil service, that is to say police and fire, are stabilized numbers of personnel dictated by good police science practices and a fire department built upon proven needs by safety engineers and underwriters. However, the last session of the Legislature singled out the fire department as one given permission to bargain with the administration. To date, this has created no crisis because of the attitude of the men themselves; but no organization can afford to allow preferential treatment.

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This administration, as has been recognized, inherited an insolvent police retirement program. This is a binding contract with the policemen and in order to live up to the retirement terms, it appears that it might be necessary to levy one mill additional at this time to make this program actuarially sound.

One facility to which we can always point with pride is Pinecrest Municipal Golf Course. With green fees kept far below today's national average, it is constantly able to maintain itself.

Our Parks Department has grown constantly with emphasis on aesthetic and environmental problems. This year, we will pause to reevaluate the recreational structure to see if enough emphasis is placed upon our park facilities themselves. It is possible that a portion of the program might be growing out of proportion.

In summary, last year, further steps were taken toward the goal of efficient equipment utilization and management. Private use of any vehicles is forbidden. Unauthorized personnel passengers cannot be tolerated. Cars taken home at night have been reduced to a bare minimum of those who assume an obligation on emergency calls. Further pooling and greater scrutiny of need will have to be anticipated in the future.

City government must be prudent with recognition that it exists as a service organization. The standards of service expected today far exceed those of just a brief decade ago. Fiscal responsibility is a prime requisite.

Tax levels, by comparison to other cities, is not a justification of unwise expenditures within our fiscal operation.

We must have the courage not to bow to pressures that one city is played against another; that one section is a wedge for expenditures in others. Sound business management has made us solvent. We must look toward improved operational practices to overcome expenditures and reduce our payroll by attrition.

Besides suggesting dedicated funds for airport utilization, it would be practical to ear-mark a portion of the mill levy for streets.

Finally, everything related to environment and public health must be considered imperative during this coming fiscal year.

The Mayor received a round of applause for the foregoing presentation.

The Mayor, noting several citizens in the Council Chambers, asked if they had any comments. Mr. Thurman Peterson said that he had been advised by his attorneys, Roger Cox and Robert Fanning, that he appear tonight and inform the new Councilmembers that he and his wife protest their being included in L.I.D. #44 and that the above named attorneys were representing him in his appeal.

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Bills for the month of December, 1971, having been properly audited by the Fiscal Committee, were presented in caption form, as follows:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$139,666.93	\$86,661.86	\$226,328.79
Fire Bonds	50,252.87	4,967.62	55,220.49
Water & Sewer Fund	12,806.94	63,690.46	79,497.40
Electric Light Fund	39,730.64	155,373.42	195,104.06
Recreation Fund	1,436.36	583.75	2,020.11
Police Retirement	2,547.25	.00	2,547.25
<u>TOTAL FUNDS</u>	<u>\$246,440.99</u>	<u>\$311,277.11</u>	<u>\$557,718.10</u>

It was moved by Councilman Karst, seconded by Hovey, that the bills be allowed and the Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 6; No, none; carried.

Reports from Division and Departments Heads were presented for the month of December, 1971, and, there being no objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for GROCERY STORE, Glenn's Cold Storage, Midget Market; RESTAURANT, Bank A Ball, Wrangler Roast Beef, Chambers Black Angus, Red Fox Lounge, A & W Root Beer, Snack-shop, Wong & Yee Fine Foods, Harman's of Idaho Falls, (2), DANCE HALL, Red Fox Lounge, Hub Bar; BILLIARDS, Bank A Ball; PAWNBROKERS, Buky's Village; COMMERCIAL KENNEL, Rogers Pet Clinic; SECOND HAND STORE, Fixit Shop; MOTEL, Motel 6; HOTEL, George M. McKissick; ELECTRICAL CONTRACTOR, T.V. James Electric, Christensen Electric, Dick Wheeler Electric, Johnson Service; JOURNEYMAN ELECTRICIAN, Heber Hadlock, Jerald Oakey, Mardell Oakey, Gary Oakey, Armand Hall, Dick Wheeler, T.V. James, Del Wilkins, Thayle Monson, Leroy Hale, Marshall D. Rapp, James Garriott, Allen Millward, Mark Kelsey; APPRENTICE ELECTRICIAN, M.J. Hanson, Steven Smith, Franklin Ricks, Rudy Boelter, Ralph Cheney, Jr., John Schuter, Earl Danielson, Stephen Browning; CLASS A CONTRACTOR, WA, WH, GF, REF, Wayne Hammond; CLASS B JOURNEYMAN, WA, GF, REF, Norman Conan, Max Conan; CLASS B CONTRACTOR, GF, WH, J.C. Siqueiros; CLASS C CONTRACTOR, Max Groom; CLASS C JOURNEYMAN, GF, WH, Max Sargent, J.C. Siqueiros; CLASS C JOURNEYMAN, WA, GF, Ramon Landon; CLASS D CONTRACTOR, GF, Claude Smith; CLASS D CONTRACTOR, GF, Jack Hill; CLASS D JOURNEYMAN, GF, Claude Smith, Jack Hill, Russell Portela; CLASS D JOURNEYMAN, WA, H, James Walker; CLASS D JOURNEYMAN, REF, Martel L. Smith; MASTER PLUMBER, Max A. Groom, Elmer Holmgren, Harold W. Bates, Wayne Hammond, J.C. Siqueiros; JOURNEYMAN PLUMBER, Max Groom, Howard Hill, Rex Rolfe, Max Sargent, Harold Bates; TAXI OPERATOR, Arthur Hammer, Terry Burgener, Dewayne Mayes, Wayne Beisner, Lamont Prophet; BARTENDER, Desiree LaMonte, Judy Farnes, Sidney Kinney, Newell Huntsman, Shirley Guthrie, Betty Nash, David Tyrrell; BEER, (CANNED, BOTTLED, AND DRAUGHT, TO BE CONSUMED ON THE PREMISES), Dog House; BEER (CANNED & BOTTLED, NOT TO BE CONSUMED ON THE PREMISES), Skaggs Drug Center, Midget Market, Glenn's Cold Storage; LIQUOR, Golden Crown, Hub Bar were presented. It was moved

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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.

INTERIM APPROPRIATION ORDINANCE NO. 1313

AN INTERIM ORDINANCE APPROPRIATING SUFFICIENT FUNDS FOR PAYMENT OF EXPENSES AND SALARIES BY THE CITY OF IDAHO FALLS, IDAHO, DURING THE 1972 FISCAL YEAR PRIOR TO THE PASSAGE AND APPROVAL OF THE ANNUAL APPROPRIATION ORDINANCE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

This damage claim was then presented and read:

December 27, 1971

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

Dear Mayor Pedersen:

The purpose of this letter is to bring to your attention some damage done to the lawn at my residence by a City snow plow on or about December 14, 1971. The damage is at the intersection of East Morningside and Holly Place.

Because of snow depth in the area I have been unable to determine the extent of damage but my principal concern is that the sprinkling system may have been damaged as well as the lawn. I assume that the City carries insurance to cover such incidents.

Your attention or that of the City Council to this matter will be appreciated.

Very truly yours,
J.P. Lyon

It was moved by Councilman Freeman, seconded by Erickson, that this be referred to the insurance adjusters for study and proper handling. Roll call as follows: Ayes, 6; No, none; carried.

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A City redemption tax deed in favor of Commonwealth, Inc. was presented, accompanied by the following resolution:

R E S O L U T I O N (Resolution No. 1972-01)

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 the 12th day of May, 1971, recorded as Instrument No. 417738, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lot 64, Block 7, South Bel Aire #2 Addition to the City of Idaho Falls, Idaho, as per recorded plat thereof.

WHEREAS, Commonwealth, Inc. 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 payment of said sum of money by said purchaser to make, execute and deliver to the said Commonwealth, Inc. a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 6th day of January, 1972.

APPROVED BY THE MAYOR this 6th day of January, 1972.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

It was moved by Councilman Freeman, seconded by Hovey, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 6; No, none; carried.

At an informal Council meeting, the Council approved the lease agreements referred to in the following letter:

Union Pacific Railroad
December 29, 1971

The Honorable S. Eddie Pedersen
Office of the Mayor
Idaho Falls, Idaho

Dear Mayor Pedersen:

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It is a pleasure to deliver to your herewith the two deeds described below:

Deed L&T 8861-2 from Union Pacific Land Resources Corporation conveying 1.824 acres to the City of Idaho Falls;

Deed L&T 8863-1 from Union Pacific Railroad Company conveying 0.583 acres to the City of Idaho Falls.

The two deeds are delivered to you as a donation by the respective Companies to the City.

We have recorded appropriate deeds among Oregon Shortline Railroad Company, Union Pacific Railroad Company and Union Pacific Land Resources Corporation, which are referred to in the above documents and all of the necessary transfers of title contemplated by the above transaction have been completed.

You have heretofore received copies of leases which are in effect governing occupancy of portion of the property covered by the above deeds. Enclosed are duplicate originals of assignment of leases from Union Pacific Land Resources Corporation and Oregon Shortline Railroad Company-Union Pacific Railroad Company to City of Idaho Falls of the leases. We have delivered to Idaho Falls Community Redevelopment Commission triplicate originals of assignment of Lease L&T 17153 from Union Pacific Land Resources Corporation jointly to the City and to the Commission. Upon execution by the Commission and by you and return to me of the assignments, I will handle for their execution by the appropriate lessor and furnish to you fully executed copies of the assignments together with confirmed copies of the leases.

The City leases, under L&T 17451, a site westerly of Capital Avenue. We have sold the easterly twenty (20) feet of that leasehold to Idaho Falls, Community Redevelopment Commission. Enclosed is Addendum to the lease which eliminates the easterly twenty-eight (28) feet from the lease. The eight (8) foot discrepancy between the two above figures is due to a mistake in the original lease plat. If you will have the Addendum executed on behalf of the City, and returned to me, I will handle for execution by Union Pacific and return to you a fully executed copy for your files.

Very truly yours,
U.P. RAILROAD CO.
LAND DIVISION
s/ C.E. Summerhays

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

This letter was presented and read:

I.F. L.D.S. Hospital
January 5, 1972

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

Dear Mayor Pedersen:

I am enclosing a Lease Agreement copy between the City of Idaho Falls, and the hospital concerning the parking property. This agreement was drawn up for a five (5) year period and our governing board requests that consideration be given by the City of Idaho Falls for a Lease Agreement that could be considered long-term and by that I have in mind a twenty-year period.

The terms as existing in the copy of the Lease attached are satisfactory to us if this could be renewed for the length of time suggested.

Sincerely,
s/ T. R. Harris
Administrator

Councilman Freeman noted that the request was for a period of 20 years. He suggested that 10 years was long enough. The rest of the Council concurred. It was moved by Councilman Freeman, seconded by Erickson, that the City Attorney be directed to prepare an appropriate lease agreement for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Purchasing Department was presented:

City of Idaho Falls
December 29, 1971

Motor Fuels & Lubricants (School, County & City)

Honorable Mayor and Councilmembers:

Tabulation of bids for motor fuels and lubricants is attached. Low bids submitted are as follows:

Gasoline:

Tank Truck Lots	
Regular- Humble Oil & Refining	\$.2010 gal.
Ethyl – Ray Groth Oil Co.	.2088 gal.
Less than Tank Truck Lots	
Regular – American Oil co.	.218 gal.
Ethyl – Ray Groth Oil Co.	.2238 gal.

Motor Oil:

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Straight Regular – Ray Groth Oil Co.	.577 gal.
Diesel Regular S3 – Ray Groth Oil Co.	.7538 gal.
Diesel Mul. Vis. – Ray Groth Oil Co.	.77 gal.

Diesel Fuel:

Tank Truck Lots	.1375 gal.
#1 – Union Oil Co. of Cal.	.1375 gal.
#2 – Ray Groth Oil Co.	.1154 gal.
Less than Truck Lots	
#1 – Ray Groth Oil Co.	.1304 gal.
#2 – Ray Groth Oil Co.	.1254 gal.

This is a joint bid, City of Idaho Falls, Bonneville County, and School District 91, as advertised and opened by School District 91, for fuel and oil for City vehicles for the year 1972.

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

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Karst, seconded by Hovey, that the various low bids for gasoline, motor oil and diesel fuel, as indicated, be accepted. Roll call as follows: Ayes, 6; No, none; carried. Next, from the Purchasing Department, this memo was presented:

City of Idaho Falls
January 4, 1972

Police Cars

Honorable Mayor and Councilmembers:

Tabulation of bids for nine 1972 cars is attached. Evaluation of the only bid received, shows Ellsworth Brothers Inc. submitting the bid as follows:

Bid submitted with Full Maintenance:
 \$247.00 per car per month of \$26,676.00 total.

Bid submitted for Out Right Purchase:
 \$2985.00 per car or \$26,865.00 total.

It is the recommendation of the Equipment Review Board, Police Department and Purchasing Department, that we accept the out right purchase price.

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The total yearly mileage of 37,200 per car per year and the increased cost of lease rental with full maintenance and with consideration of possible use for a two year period are the reasons for the above recommendation.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Erickson, seconded by Wood, that the out right purchase of the 9 police cars be approved. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Purchasing Department, this memo was presented:

City of Idaho Falls
January 4, 1972

Police Radio Equipment

Honorable Mayor and Councilmembers:

Tabulation of bids for Police radio equipment is attached. Evaluation of bids received show RCA of Camden, New Jersey submitting the low bid meeting specifications of \$21,632.00 without trade-in and \$19,222.00 with trade-in.

It is the recommendation of the Police Department and the Purchasing Department that the low bid of RCA without trade-in be accepted. The used equipment will be sold by the City to the other Police departments or Sheriff's office.

This recommendation subject to your approval.

s/ W.J. Skow
Purchasing Department

It was moved by Councilman Erickson, seconded by Wood, that the low bid of RCA, without trade-in be accepted. Roll call as follows: Ayes, 6; No, none; carried.

From the City Planner this memo was presented:

City of Idaho Falls
December 10, 1971

TO: Honorable Mayor and City Council
City of Idaho Falls

Gentlemen:

With the approval of the City of Idaho Falls Heating and Cooling Board, we would like to present for your consideration, the name of William Johnson to replace Darrell Baker on the Refrigeration Examining Board as Mr. Baker has sold his business and is now working at the

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site. Also, LaMar Eslinger to replace Gordon Powell on the Refrigeration Examining Board as Mr. Powell has taken employment out of the City. Richard Weimer to replace Glen Brown on the Gas Examining Board as Mr. Brown is no longer in business; Max Conan to replace Cliff Draper on the Warm Air Heating Examining Board as Mr. Draper is no longer working in the heating business.

The secretary has contacted these men and they have agreed to serve on these boards.

Respectfully,
s/ Henry C. Isenhart
s/ William R. Gilchrist

The Mayor proceeded to make these appointments to the various boards as recommended. It was moved by Councilman Wood, seconded by Hovey, that these appointments be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

This memo was submitted from the Public Works Department:

December 21, 1971

TO: Mayor and Council
FROM: Engineering, Legal and Public Works
SUBJECT: L.I.D. #44 ASSESSMENT HEARING PROTESTS

On December 9, 1971, the Mayor and City Council held an assessment hearing for L.I.D. #44 (street and alley improvements). There were 13 written and 3 verbal protests presented. Each protest has been considered separately and then reviewed with the Council's Public Works Committee. We are therefore presenting in summary form, each protest and our recommendation for Council action:

16th Street

John M. Judy #251 - \$917.83

Objects to paying a bill that is not his. Title records show he is owner of this property and the assessment has been properly applied. DENIED

Lawrence Fager #252 - \$1,970.10

Gave the City Right-of-Way for 16th Street and understood from Building Official that City would then pay for all improvements. If facts are as stated in the protests, Building Official does not have authority to commit the City. DENIED

Alley in Block 21 - Original Townsite - Eastern-Water and Walnut-Maple

Ora Nugent Harman #131 - \$753.00

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Cost of improvement is excessive. Cost not in control of Council and not a valid protest. DENIED

Julia Bates (Robert Humberger) #134 - \$198.03

Has no frontage on alley and letter from Mayor stating protest was valid. Even though there is no frontage, method of assessment is consistent with past practice and made pursuant to the expressed language of statutes. Letter from Mayor was dated July 9, 1969, and referred to L.I.D. #39 which was abandoned. DENIED

Mary Haddon (Vey McNalley) #140 - \$257.75

Has no frontage on alley. Refer to statement above. DENIED

“K” Street

Horace Fell #193- \$214.10

No frontage on “K” Street. Lots originally platted to front on “K” Street, but owns only the back half, using Sage Street as his front. When Sage Street was improved, this property would have been considered a side assessment. Pursuant to the expressed language of statutes, this property is properly assessed for “K” Street frontage and has been or will be assessed for Sage Improvement as a side street. DENIED

Alley in Block 36 Crows Addition (9th & 10th and Blvd. & Lee)

Kate Young #92 - \$324.50

Never uses alley and cannot pay assessment.

Clarence G. Munsee #95 - \$324.50

Costs too much.

Thomas J. Sloan #98 - \$324.50

Operation and doctor bills make it impossible to pay assessment. Each case must be classed as a hardship with no alternative for recommendations. DENIED

Wabash Avenue and Freeman Avenue

Ruby Lords #28 - \$740.28

Impossible to pay assessment. Hardship protests must be DENIED.

Cecil S. Staker #30 - \$271.56

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Overcharged for engineering. Misunderstood the project costs. DENIED

Keith Kenney #37 - \$122.50

Has no frontage on Freeman or Wabash. Assessment not comparable with neighbors across street. Proper end assessment has been applied and is the same basis used on property across street. DENIED

Arthur Montague #41 - \$863.47

Engineering error will necessitate a \$100 fill or retaining wall and already assessed for storm drainage and paying higher taxes. Can find no engineering error and hardship, not a valid protest. DENIED

Skyline

Paying for more than half the street. Assessment based upon one-half of street which in this case is 22 feet of asphalt. DENIED

Kenneth E. Rowland #225 - \$5,072.54

Assessment too high. Do not need a 6 foot sidewalk. Other sidewalks in the area are both 6 ft. and 5 ft. wide. Since the nearest sidewalk to this property is not 5 ft., grant this request.

Richard Decker #226 - \$4,825.00

Method of assessment should have been end costs and not front costs. Sidewalk should be 5 ft. wide instead of 6 ft. Skyline has an established pattern for front assessments based upon the platted land. This property not platted, but logically lends itself to front assessment. The request for a 5 foot sidewalk should be granted. The committee further recommends that even though there were no protests received, that to achieve uniformity Assessments No. 201 and 202 be adjusted to reflect the construction of a 5 ft. sidewalk rather than the 6 ft. sidewalk originally intended.

It was moved by Councilman Gesas, seconded by Karst, that the foregoing recommendations, as presented by the Engineering, Legal and Public Works Divisions, be accepted. Roll call as follows: Ayes, 6; No, none; carried.

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

(Resolution No. 1972-02)

RESOLUTION MODIFYING, CORRECTING AND AMENDING
ASSESSMENT ROLL OF LOCAL IMPROVEMENT DISTRICT NO. 44
AND APPROVING AND CONFIRMING SAID ASSESSMENT ROLL
AS MODIFIED AND AMENDED.

WHEREAS, the City Engineer and Committee on Streets have heretofore made out and certified to the City Council as provided by law an Assessment Roll of Local Improvement District No. 44, and

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WHEREAS, on November 11, 1971, the City Council fixed the time and place when and where objections to Assessment Roll by the property owners of said district would be heard, to-wit; Thursday, December 9, 1971, at 7:30 o'clock p.m. of said day at the Council Chambers in the City Building at Idaho Falls, Idaho, and

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

WHEREAS, several objections were filed or made to said Assessment Roll, and

WHEREAS, the City Council, on December 9, 1971, decided to further consider and take under advisement said Assessment Roll, and

WHEREAS, the City Council has further examined said Assessment Roll and further considered the objections filed thereto, and has decided that some of said objections should be allowed and that certain assessments should be set aside and eliminated from said Assessment Roll,

NOW, THEREFORE, BE IT RESOLVED THAT each and all of Assessment Nos. 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, and 161, covering all of Block 43 of the Original Townsite of the City of Idaho Falls, Idaho, be, and they hereby are set aside and eliminated from said Assessment Roll and declared null and void, and that the alley extending through said Block 43 be not improved; that otherwise, and as to each and all of the other assessments in said Assessment Roll and each and every item therein, except as above set forth, be, and the same hereby is in all respects approved, ratified and confirmed."

Councilman Karst seconded the adoption of the said Resolution, and the same, being put to a vote, was unanimously carried by the affirmative vote of all Councilmen present, the vote being as follows: Councilmen Freeman, Erickson, Wood, Hovey, Karst, and Gesas. Nay, none. Whereupon, the Mayor declared the motion carried.

s/ Velma Chandler
Deputy City Clerk

Mr. Don Suckling, 1545 Clare View Lane appeared before the Council. He congratulated the new Councilmen on their appointments. He said he had missed the Christmas lights on fire station #3 this year. He complained as to the way the snow removal was being handled and asked if some other arrangements could be made. He asked if there wasn't a way to prevent the snow plows from dumping large quantities of snow in private driveways. The Mayor said that the Public Works Director was checking out a blade attachment that could be released when the snow plow approached the driveway, thus prevent filling it with snow. He said that he realized that this had been a bad year for snow removal. Mr. Suckling said that he appreciated the City's problems and was glad they weren't his. He also said that he did not like the street lights that are on a trial basis on Memorial and Broadway Streets. The Mayor thanked Mr. Suckling for his appearance and his interest in problems of this nature.

City Attorney Arthur Smith, as a means of informing the Mayor and Councilmen, stated that the Idaho statutes are being changed many times more rapidly today than a few years ago.

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Illustrative of said changes, continued Smith, is the adoption by the Legislative of a new penal nature except those dealing with zoning, building, safety and regulation of dogs. In answer to a question by Councilman Wood, Smith explained that the court reform laws provide that, when a City police officer makes an arrest within the City limits for violation of a State penal statute, the City continues to receive 90% of the fine or forfeiture there from. In answer to a question by the City Attorney, Police Chief Pollock said he and the City Prosecuting Attorney were aware of this problem and that a thorough study of said problem was being made.

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

ATTEST: s/ Velma Chandler
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
