

NOVEMBER 23, 1971

The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a recessed regular meeting on Tuesday, the 23rd day of November, 1971, 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 Protem Jim Freeman, Councilmen Dale Parish, Gordon Nelson, Paul Hovey, Melvin Erickson, and Jack Wood, Jr. Absent: Mayor S. Eddie Pedersen. Also present: Roy C. Barnes, City Clerk; Lorna Coughlin, City Treasurer; Robert Pollock, Police Chief; Les Corcoran, Fire Chief; Steve Harrison, Electrical Engineer.

Minutes of the last recessed regular meeting, held November 11th, 1971, were read and approved.

The Mayor acknowledged Councilmen-elect Norris Gesas and Gilbert Karst in the Council Chambers and thanked them for their presence and their interest.

The Mayor announced that seventeen firemen were about to be presented Emergency Medical Technician Certificates for having successfully completed an instruction course through the Eastern Idaho Vocational School. Most of these men were present in the Council Chambers. The Mayor invited Fire Chief Corcoran to come forward and he, in turn, introduced Mr. Ken Boster, instructor for the class as described. Mr. Boster explained that this course was originated by a committee of orthopedic surgeons. It required 71 hours of class room instruction and 10 hours in a local hospital. Boster said this was necessary because of the constant need for close cooperation between emergency personnel and ambulance personnel. Mr. Boster then proceeded to award the certificates as described; also jacket patches issued by the State; also certificates from the Utah Heart Association because of special instructions received on cardio pulmonary massage. These men then received a standing ovation from all City Officials around the Council Table. The Mayor thanked these firemen for their dedicated effort and congratulated them for the manner that the ambulance service was being administered. Councilman Hovey commented to the effect that, in his opinion, the Idaho Falls Fire Department was way out in front in comparison to other fire departments of complaints from hospitals and doctors would suggest that a commendable service was being rendered.

The Mayor announced that this was the time and the place for a public hearing, as advertised, to receive and hear all objections to the proposed Assessment Roll of Enlarged Local Improvement District #41.

Mrs. Loren Nelson, 1980 N. Yellowstone, appeared before the Council relative to assessment #17. According to information received from a local title company, this assessment was originally in the name of Ken Garff Sales, Inc. Mrs. Nelson noted that she and her husband had recently purchased the property in question from that firm; also a portion of the property formerly owned by O.K. Rubber Welders. Mrs. Nelson acknowledged that she and her husband would be liable for the assessment on the property acquired from Ken Garff Sales. However, she registered concern about the property acquired from the O.K. Rubber Welders. She asked and received assurance that her assessment on that property would be limited to that portion within the district.

Mr. John Homer of the Homer Koster Company appeared before the Council reminding the Council that his company had installed a sewer line on Turnbull Drive. He felt he had not received proper credit for this investment and that said assessment should be limited to his pro-rate cost of hooking on to the lift station. Councilman Nelson said the Public Works Committee would be glad

NOVEMBER 23, 1971

to review this matter and it was agreed that Mr. Homer should attend the Public Works meeting the following Tuesday.

Subject to the results of said meeting, then, and subject, further, to final review by the Public Works Committee and the City Attorney, and with the assumption that the aforementioned meeting would serve to resolve the problem, Councilman Nelson introduced the following resolution in writing and moved its adoption:

**RESOLUTION APPROVING AND CONFIRMING ASSESSMENT
ROLL OF LOCAL IMPROVEMENT DISTRICT NO. 41 (Resolution No. 1971-37)**

“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. 41, and

WHEREAS, on October 21, 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: Tuesday, the 23rd day of November, 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, no written objections were filed or made to said Assessment Roll, and

WHEREAS, the City Council has examined and considered said Assessment Roll and has decided that said Assessment Roll should be approved, ratified and confirmed,

NOW THEREFORE, BE IT RESOLVED, that said Assessment Roll, and each and every item therein and the whole thereof be, and the same hereby is in all respects approved, ratified and confirmed.”

Councilman Parish 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 vote being as follows: Councilmen Parish, Nelson, Hovey, Freeman, Erickson, and Wood. No, none; carried.

License applications for VENDOR, Clayton C. Butt, Jr.; GROCERY STORE, Jerold D. Epperly for Elm Street & Jiffy Mart, Fay Marler for Skyline Market, Lillian Hartwell for Minit Market, Gary White for Albertsons at First Street; RESTAURANT, Devon Ivis for Taco Bandido, Millard Divine for Broadway Cafe, B. A. Newman for The Russett; JOURNEYMAN ELECTRICIAN, Warren Mikkola; APPRENTICE ELECTRICIAN, Ben Meyer with Whipple Electric; TAXI CAB OPERATOR'S LICENSE, Dean Cook, Jim Wood, Stan Ellis, David Colson, Clifford Carlyle, all with Yellow Cab Company; BARTENDER, Connie Kilsey; BEER, (Canned & bottled, not to be consumed on the premises) Lillian Hartwell for Minit Market, Gary White for Safeway Stores; Inc.; BEER, (Canned, bottled and draught to be consumed on the premises) Millard Divine, Linus Bowen, Bish Jenkins, Rodger Hougan, Dorothy Lehman, Ted LeBaron, Chancey Poliski, B.A. Newman, were presented. It was moved by Councilman Erickson, seconded by Wood, that these licenses be granted, subject to the

NOVEMBER 23, 1971

approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director this memo was submitted:

City of Idaho Falls
November 23, 1971

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: DOWNTOWN STREET IMP. LID NO. 42, RECONSTRUCTION OF SHOUP

On November 11 a public hearing was held for L.I.D. No. 42 concerning the development of 2½ blocks of Shoup Avenue and 1½ blocks each of "A" and "B" Streets. A total of 27 property owners were invited to the hearing to make comment. Four owners submitted written protests and can be summarized as follows:

1. Cost too excessive
2. No downtown improvements are needed
3. Parking problem should take precedence

These four protests represent 14.8% of the total ownership within the district and the land area of these owners represents 17.5% of the total land area within the district. These protests have been discussed thoroughly with the Council's Public Works Committee and we are recommending that the protests be denied and the Engineering Department be instructed to proceed with the project design and specifications so that contractor's bid for the project can be secured early in 1972.

s/ Don

The City Council having heard and considered protests against the creation of Local Improvement District No. 42 at its meeting on November 11, 1971, and having taken the protests under advisement, on motion of Councilman Nelson, seconded by Parish, the following Resolution was adopted by the unanimous vote of the Council and Mayor:

(Resolution No. 1971-38)

"RESOLVED: THAT FOUR PROTESTS AGAINST PORTIONS OF THE PROPOSED WORK IN LOCAL IMPROVEMENT DISTRICT NO. 42 HAVE BEEN MADE IN WRITING BY PROPERTY OWNERS AND FILED WITH THE CITY CLERK; THAT SUCH PROTESTS HAVE BEEN MADE BY THE OWNERS OF LESS THAN TWO-THIRDS OF THE ABUTTING, ADJOINING, CONTIGUOUS AND ADJACENT LOTS AND LANDS WITHIN SUCH PROPOSED IMPROVEMENT DISTRICT; THAT EACH AND ALL OF SAID PROTESTS HAVE BEEN CAREFULLY CONSIDERED, OVERRULED AND DENIED; THAT THE ORGANIZATION AND CREATION OF THE DISTRICT IS PROPER AND THE DISTRICT WILL BE FOR THE BEST

INTERESTS OF THE PROPERTY AFFECTED AND THE CITY OF IDAHO
FALLS, IDAHO; THAT THERE IS REASONABLE PROBABILITY THAT THE
NOVEMBER 23, 1971

OBLIGATIONS OF SUCH DISTRICT WILL BE PAID; THAT THE
RESOLUTION OF INTENTION PASSED BY THE CITY COUNCIL AND
APPROVED BY THE MAYOR ON THE 7TH DAY OF OCTOBER, 1971,
SHALL BE, AND THE SAME HEREBY IS RATIFIED AND APPROVED.”

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

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

City of Idaho Falls
November 23, 1971

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: EAST SAND CREEK INTERCEPTOR SEWER

The need for extending the sanitary sewer east on 17th Street has been discussed with the Council's Public Works Committee for some months. Although there is no immediate urgency on the part of the City, sewer service is needed in a portion of Ammon and underground utilities should be installed now prior to the expected development on 17th Street easterly from Church Farm Road to the Ammon-Lincoln Road. Since much of the preliminary engineering work has been completed for this project, we are requesting authorization to submit an application to E.P.A. through the State for financial aid in constructing this 18 inch sanitary sewer. This sanitary sewer interceptor extension would be approximately 1900 feet long and would extend the sewer from the point where the east interceptor sewer goes north from 17th Street (along the proposed Bird Avenue) easterly to approximately Falcon Drive in Ammon. The future extension of this sewer would proceed northerly and serve an area on the east side of Sand Creek up to and including part of Lincoln.

s/ Don

It was moved by Councilman Parish, seconded by Nelson, that authorization be granted to submit application to E.P.A. for financial aid in the project as described. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
November 23, 1971

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: LEWISVILLE-ANDERSON INTERSECTION

NOVEMBER 23, 1971

We are submitting herewith an original and one (1) copy of a Resolution and Preliminary Engineering Agreement by the State Department of Highways and the City for the Lewisville-Anderson Street junction. This agreement is in connection with the prior contract entered into with the Consultants – Federal and State, concerning this same intersection and requires the usual \$1500 advance. This has been discussed with the Council’s Public Works Committee and we would recommend the Mayor and City Clerk be authorized to sign approval subject to the availability of funds.

Respectfully submitted,
s/ Don

The foregoing memo eluded to this resolution:

R E S O L U T I O N (Resolution No. 1971-39)

WHEREAS, the Department of Highways of the State of Idaho has submitted a Cooperative Agreement stating obligations of the State and the City of Idaho Falls, Idaho, for preliminary engineering to reconstruct the intersection of Lewisville Road, Anderson Avenue, and Lincoln Road within the corporate limits of the City of Idaho Falls, Bonneville County, Idaho, as described in the Cooperative Agreement, which improvement is to consist of right of way acquisition, excavation, grading, curb-gutter, drainage, paving, traffic controls, lighting and railroad crossing signals on 0.3 miles of U.S. Highway B.R. 20 (F.A.S. Rt. 6715) and 0.7 miles of Anderson Street (F.A.S. Rt. 6723) to be developed under Federal Aid Project T-4060 (1); and

WHEREAS, the State, by agreement with the Federal Highway Administration, is responsible for obtaining compliance with laws, standards, and procedural policies in the development, construction and maintenance made to the Federal Aid Secondary Highway System when there is Federal participation in the costs; and

WHEREAS, certain functions to be performed by the State on the City part of the project involve the expenditures of funds as set forth in the Cooperative Agreement; and

WHEREAS, the State cannot pay for any work not associated with the State Highway System; and

WHEREAS, it is intended that the project shall be developed and constructed so as to receive Federal participation.

NOW THEREFORE, BE IT RESOLVED:

1. That the Cooperative Agreement for Federal Aid TOPICS Project T-4060 (1) is hereby approved.
2. That the Mayor and City Clerk are hereby authorized to execute the Cooperative Agreement on behalf of the City of Idaho Falls.

NOVEMBER 23, 1971

3. That duly certified copies of the Resolution shall be furnished the Department of Highways and the Federal Highway Administration.

It was moved by Councilman Nelson, seconded by Parish, that this resolution be adopted and passed and the Mayor and City Clerk be authorized to sign the preliminary engineering agreement between the City and the State pertaining to Project #T-4060(1). Roll call as follows: Ayes, 6; No, none; carried.

This letter was presented and read aloud by the City Clerk:

Roger Brothers Company
November 19, 1971

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

Dear Mayor Pedersen:

We at Rogers Brothers Company are concerned with the traffic accident situation at the intersection of Sunnyside Road and Rollandet Avenue (Park Road) – the intersection adjacent to our office building. There have been 3 deaths at this intersection during my tenure here. I have received a number of complaints from our employees regarding the hazard of this intersection (all of our employees are required to negotiate it to reach our parking lot.) Each of the intersecting roads has a 50-mile-per-hour limit which magnifies the problem in our eyes.

It is my understanding that the City limits and the County come together in the middle of Sunnyside Road at this point and that this is a combined City-County problem.

I would like to respectfully suggest that consideration be given by each governmental body to the installation of a flashing “stop-and-warning” signal (stop north and south, caution east and west) to reduce this traffic hazard.

An additional hazard is created by the fence and planting on the Bennett property on the southwest corner of the intersection. It is impossible for northbound traffic on Park Road to see oncoming eastbound traffic on Sunnyside Road without practically entering the intersection. By the same token, eastbound Sunnyside traffic cannot see northbound Park Road traffic waiting to cross the intersection.

Please do not misinterpret this letter – it is intended to be constructive in nature, our only intent being to suggest the elimination of what we consider a real traffic hazard.

Respectfully,
s/ John T. Orr

NOVEMBER 23, 1971

It was moved by Councilman Erickson, seconded by Wood, that this problem be referred to the Traffic Safety Committee for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Reference is made to page 60 in this book of minutes and, more specifically, a letter from D.L. Westergard offering two parcels of property within the urban renewal area to the City. Councilman Hovey explained that the Council had, at a recent informal meeting, approved a certified appraisal of these properties. It was moved by Councilman Hovey, seconded by Nelson, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

Inasmuch as the City Council took action in June, 1971, to create Local Improvement District #43 which would have constituted a downtown parking area and inasmuch as there has been no recent development on this district or project, Councilman Nelson reported its status to the Council. Nelson noted that an opinion on this matter had recently been rendered by the Public Works Committee and released to the news media accordingly. Said opinion, according to Nelson, was to the effect that any further action on the district in question at this time would be premature, in view of recent parking developments within the downtown area including removal of the parking meter heads and the newly acquired parking lot within the urban renewal area, all of which is bound to have an adverse impact on a proposed parking lot where a parking fee would be required. Councilman Nelson continued by saying that, in the opinion of the Public Works Committee, a final decision as to the destiny of L.I.D. #43 should be by the new administration after January 1st, 1972. Therefore, it was moved by Councilman Nelson, seconded by Parish, that further action of any nature pertaining to L.I.D. #43 be postponed with the understanding that, presumably, a decision would be made prior to adoption of the 1972 budget. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Parish referred to a right of way contract dated October 8th, 1971, which provided for an exchange of certain properties between the City and the State of Idaho. Parish explained that said exchange was effected with the understanding that the City would re-convey a portion of said lands to Ben P. and Dorene E. Gomm, said portion described on the right of way contract as 18.40 acres of land identified as BN-97-S, located in the W¹/₂ of the NE¹/₄ of Section 9, T.1N.,R.37E.,E.B.M. It was moved by Councilman Parish, seconded by Erickson, that authorization be granted to re-deed this property in the manner as described and the Mayor and City Clerk be authorized to sign the deed when prepared. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson drew attention to the new location of the Fashion Fabrics in the old Woolworth store. Erickson relayed a request by their Manager, Mr. Dean Haymond, for a loading zone on the "A" Street side. It was moved by Councilman Erickson, seconded by Wood, that this request be granted. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Parish, seconded by Nelson, that the meeting adjourn at 8:30 P.M., carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ James R. Freeman
Mayor
