

MARCH 25, 1971

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The City Council of the City of Idaho Falls met in a Recessed Regular Meeting on Thursday the 25<sup>th</sup> day of March, 1971, at 7:30 P.M. in the Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor Pro Tem Jim Freeman; Councilmen Gordon Nelson, Paul Hovey, Dale Parish, Melvin Erickson, and Jack Wood. Absent: Mayor S. Eddie Pedersen. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Don Lloyd, Public Works Director; Robert Pollock, Police Chief; Steve Harrison, Electrical Engineer.

Minutes of the last Recessed Regular Meeting held March 11<sup>th</sup>, and a Special Meeting held March 19<sup>th</sup>, 1971, were read and approved.

Recognizing Mr. Ron Roberts, Salt Lake representative from the Union Pacific Railroad, in the Council Chambers, the Mayor asked Councilman Nelson to introduce an agreement affecting and involving that company. Nelson explained that the railroad has acquired about 113 acres of land south of Sunnyside Road on the west side of the Yellowstone Highway. Nelson explained, further, that the principal objective was to provide a place of relocation for those railroad tenants in need of same within the Eagle Rock urban redevelopment area. The railroad has indicated that about 53 acres of this total area has been designated as an industrial park and they wish this portion to be annexed into the City.

Mr. Roberts appeared briefly to say that the primary need at this time for the agreement in question, commonly referred to as a pre-annexation agreement, is because they have a purchaser for a nine acre parcel within this area who intends to start construction and be ready for occupancy by June 1<sup>st</sup>, 1971. Sale of this property is subject to consummation of this agreement, primarily for assurance, in writing, that City water will be provided. Nelson then drew attention to the section of said agreement pertaining to the proposed water line, as follows; "Idaho Falls agrees to construct at its sole expense a 12-inch extension of the City water main from an existing line presently terminated at Sunnyside Road near the Butte Arm Canal to the east side of the railroad right-of-way on Sunnyside Road. From that point the railroad agrees to furnish materials and install at its expense a 12 inch line to the west side of Highway 191; thence, construct at its expense about 2100 feet of 10-inch line south along the highway, about 970 feet of which is adjacent to the industrial park area. Idaho Falls agrees to reimburse the railroad the difference between an 8-inch and a 10-inch line for that portion of 10-inch line furnished by the railroad on Highway 191." There were other sections in the agreement that were discussed and, in some instances, the City Attorney was alerted to study the wording carefully. It was moved by Councilman Nelson, seconded by Parish, that the agreement in question be accepted and the Mayor and City Clerk be authorized to sign, subject to final checking and approval by the City Attorney. Roll call as follows: Ayes, 6; No, none; carried.

License applications for GROCERY STORE, (TRANSFER) from J. Russell Brown dba Russ's Super Market to Acie J. Wood dba Highland I. G. A.; RESTAURANT, E. A. Sinclair for Skaggs Drug Center, Inc., 1515 Northgate Mile, G. C. Sympson for L. D. S. Hospital, Jay R. Egbert for Wrangler Roast Beef; ELECTRICAL CONTRACTOR, Charles W. Bateman for Northwest Electric, Inc., Dick Wheeler Electric, Skyline Electric; JOURNEYMAN ELECTRICIAN, Earl Preston, Preston Olsen, James Emery, Charles Bateman, Mrs. R. LeRoy Collins, A. R. Morton, Rue Stears, Dick Wheeler, J. F. Unsworth; APPRENTICE ELECTRICIAN, Herbert Hogue, John Schluter; MASTER PLUMBER, Wilding Plumbing, Kerr Plumbing; JOURNEYMAN PLUMBER, D. R. Wilding; CLASS D CONTRACTOR, Con-Air Co.; CLASS D JOURNEYMAN, Merlyn Schmerkpeper; BEER, CANNED

MARCH 25, 1971

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AND BOTTLED, NOT TO BE CONSUMED ON THE PREMISES) TRANSFER, from J. Russell Brown dba Russ's Super Market to Acie J. Wood dba Highland I. G. A.; BEER (CANNED AND BOTTLED NOT TO BE CONSUMED ON THE PREMISES), Larry Long for Skaggs Drug Center; BARTENDER, Patricia A. Knowa, Sandra Wolfensberger, Larry Bybee; PRIVATE PATROLMAN, Kenneth Dale Bland, were presented. It was moved by Councilman Erickson, seconded by Wood, that these licenses be granted, subject to the approval of the appropriate Division Directors, where required. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Purchasing Department was presented and read:

City of Idaho Falls  
March 25, 1971

500 KVA 3 Phase Pad Mount Transformer

Honorable Mayor and Councilmembers:

Tabulation of bids for one 500 KVA 3 phase pad mounted transformer is attached.

Evaluation of bids received show RTE Corporation of Portland, Oregon submitting the low bid of \$2530.00 with 11 weeks delivery. Transformer to be installed at the Stardust Motel.

It is the recommendation of the Electric Light Division and the Purchasing Department that the low bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow  
Purchasing Department

It was moved by Councilman Hovey, seconded by Nelson, that the low bid in the amount of \$2530.00 from RTE Corporation be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

City redemption tax deeds were presented in favor of L. R. Bird and Lloyd Barker, accompanied by appropriate resolutions as follows:

**RESOLUTION (Resolution No. 1971-05)**

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 10<sup>th</sup> day of April, 1968, recorded as No. 384019, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

MARCH 25, 1971

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Tract #51, Section 13 Twp. 2 N.R. 37 E.B.M.

WHEREAS, LLOYD BARKER 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 receipt of said sum of money by said purchaser to make, execute and deliver to the said LLOYD BARKER a deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 25<sup>TH</sup> day of March, 1971.

APPROVED BY THE MAYOR this 25<sup>th</sup> day of March, 1971.

s/ S. Eddie Pedersen  
MAYOR

s/ Roy C. Barnes  
CITY CLERK

**RESOLUTION (Resolution No. 1971-06)**

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 20<sup>th</sup> day of February, 1969, recorded as No. 394239, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit: The S. 120' of the following described property, to-wit:

Beginning at a point that is 26.1'E. and 758.3' N. 0°10½' E. of the southwest corner of the S.E. ¼ S.W. ¼ of Section 13, Twp. 2 N.R. 37 E.B.M., and running thence N. 0°10½' E. 680'; thence E. 320.3'; thence S. 0°10½' W. 680'; thence W. 320.3' to the place of beginning.

WHEREAS, L. R. BIRD 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;

MARCH 25, 1971

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NOW THEREFORE BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed upon the payment of said sum of money by said purchaser to make, execute and deliver to the said L. R. Bird a deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL THIS 25<sup>th</sup> day of March, 1971.

APPROVED BY THE MAYOR THIS 25<sup>th</sup> day of March, 1971.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ S. Eddie Pedersen  
MAYOR

It was moved by Councilman Parish, seconded by Erickson, that these resolutions be adopted and the Mayor and City Clerk be authorized to sign the deeds in question. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented a five year extension rider to railroad contract L. D. #20176 covering a storm sewer pipe line encroachment serving the intersection at West 16<sup>th</sup> and Rollandet. It was moved by Councilman Nelson, seconded by Parish, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

From Public Works Director this memo was submitted:

City of Idaho Falls  
March 23, 1971

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, P.E.  
SUBJECT: ENGINEERING AGREEMENTS

In order to aid the Engineering Department, Ellsworth Engineering has been asked to complete the development of L.I.D. #39 and Sunnyside Road water main extension. The Council has previously approved this help and we are asking for ratification on this previous action.

Respectfully submitted,  
s/ Donald F. Lloyd, P.E.

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

Another memo from the Public Works Director was forthcoming, to-wit:

MARCH 25, 1971

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City of Idaho Falls  
March 23, 1971

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, P.E.  
SUBJECT: WATER RATE INCREASE OUTSIDE THE CITY USERS

The Council recently passed a sewer ordinance which incorporated a revised rate structure. The rate for sewer outside the City was established at twice the rate inside the City. To be consistent, we are requesting that the City Attorney be authorized to draft an amendment to the water rate ordinance increasing the water rate outside the City to twice the rate inside the City.

Respectfully submitted,  
s/ Donald F. Lloyd, P.E.

It was moved by Councilman Parish, seconded by Nelson, that the City Attorney be directed to amend the water rate ordinance as recommended for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

Through the City Clerk the Public Works Director then offered this memo:

City of Idaho Falls  
March 22, 1971

TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd, P.E.  
SUBJECT: AERIAL PHOTOGRAPHY M-4 AND 3A-7C

Aerial photography of the City has been authorized the past two years but the resulting photographs have not met with specifications. Since photography work has been requested again this year, we are requesting authorization to receive proposals from qualified firms.

s/ Donald F. Lloyd, P.E.

It was moved by Councilman Nelson, seconded by Parish, that the Public Works Division be authorized to seek proposals for the aerial photography 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  
March 25, 1971

MARCH 25, 1971

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TO: Honorable Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AUTHORIZATION TO ADVERTISE HIGHLAND PARK LIFT STATION 9A-23A

The plans and specifications for the Highland Park Lift Station, Phase 2, have been completed. The estimated cost of this project is \$10,000. We are requesting that the City Clerk be authorized to advertise this project as soon as possible.

Respectfully submitted,  
s/ Donald F. Lloyd, P.E.

It was moved by Councilman Parish, seconded by Nelson, that authorization be granted for the City Clerk to advertise for bids on the project as described as soon as possible. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Personnel Director was submitted:

March 16, 1971

MEMORANDUM

TO: Honorable Mayor and City Council  
FROM: James M. Collins, Personnel Director  
SUBJECT: EMPLOYER CONTRIBUTION PUBLIC RETIREMENT SYSTEM, ARTHUR L. SMITH

The Public Employee Retirement System, has advised us that in the case of Arthur L. Smith, City Attorney, due to an oversight Mr. Smith was not included in membership upon entry of the City of Idaho Falls into the P.E.R.S. in November 1965. Mr. Smith has agreed to make up the employee contribution from this date, and this is to request that the Council authorize employer contribution payment retroactive to November 1965 in the amount of \$4,659.78. This will bring Mr. Smith current and fulfill his membership requirements.

Thank you.

s/ James M. Collins  
Personnel Director

It was moved by Councilman Erickson, seconded by Parish, that authorization be granted for the Controller to remit the amount as indicated to the Public Employees Retirement System representing the employer contribution to bring City Attorney Smith up to current standing in that retirement program. Roll call as follows: Ayes, 6; No, none; carried.

MARCH 25, 1971

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Reference is made to Page 531 in this Book of Minutes and, more specifically, a request by Mr. Jobe, President of the Idaho Falls Symphony Association, that volunteer workers on the acoustical project at the Civic Auditorium be protected by a waiver absolving them from liability in the event they inadvertently caused damage to that building in preparation for the acoustical demonstration. Councilman Parish noted that, to date, this had not been done. City Attorney Smith assured Parish that this would be accomplished.

Councilman Wood announced that there would be a representative in the City on April 1<sup>st</sup> or April 2<sup>nd</sup> to discuss pay parking at the Airport with the City Council.

There being no further business, it was moved by Councilman Nelson, seconded by Erickson, that the meeting adjourn at 8:15 P.M., carried.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ James R. Freeman  
MAYOR PRO TEM

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