

APRIL 23, 1970

The City Council of the City of Idaho Falls, met in a recessed Regular Meeting, Thursday, April 23, 1970, at 7:30 p.m. in the Council Chambers at Idaho Falls, Idaho. There were present at said meeting: Mayor ProTem Jim Freeman, Councilmen Jack Wood, Gordon Nelson, Paul Hovey, Dale Parish, Mel Erickson. Absent: Mayor S. Eddie Pedersen. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Rod Gilchrist, City Planner; William Fell, City Electrical Engineer; Don Lloyd, Public Works Director.

Minutes of the last recessed Regular Meeting, held April 9th, 1970, were read and approved.

Messrs. Jerry Harris and Phillip Fry appeared before the Council, representing the Bonneville Bowman Archery Club. Acting as spokesman, Mr. Harris asked if the lease agreement had been prepared covering the premises to be used as an archery range on the upper power dam island and, if so, what it contained in the way of provisions and stipulations. City Attorney Smith advised that the lease was in the process of being drafted. After a brief exchange of words, Mr. Smith said he had certain misinformation about the structure that was to be used by the club and, otherwise, the lease would probably not have included certain provisions which Mr. Harris had asked about. Mr. Smith said he appreciated Mr. Harris' appearance and invited him to his office so that the lease would be prepared in an all-inclusive manner. Mr. Harris agreed, in the interests of the club, to acquire public liability insurance. It was understood that, in view of the circumstances, the lease, when prepared, would be presented to the Mayor and City Council for their consideration.

Noting Mr. Richard Moyer in the Council Chambers, the Mayor asked the City Clerk to present and read aloud the following:

1519 West Broadway
Idaho Falls, Idaho
April 22, 1970

The Honorable Mayor and City Council
City Building
Idaho Falls, Idaho

Gentlemen:

The following is a proposal to provide to the citizens of the City of Idaho Falls an escort service particularly to all funeral directors, for all parades and any other activities that may require an escort for the safety of the participants and public generally. This service would also be provided to companies transporting extra-wide loads.

Proponent is ready, willing and able to supply the following equipment in order to provide such escort service:

Two (2) - motorcycles
One (1) - automobile

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together with the necessary manpower to operate any or all of said equipment. Said manpower will be comprised of individuals who have been trained in and have knowledge of handling traffic.

Fees for services rendered would be charged to and collected from the individuals, groups or companies for whom the service was rendered.

Respectfully submitted,
s/ Richard H. Moyer

It was moved by Councilman Erickson, seconded by Hovey, that this matter be referred to the Police Committee who would invite Mr. Moyer in for consultation, after which a recommendation would be forthcoming for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

License applications for RESTAURANT, D. W. Manders for Doug's Dairyland Kitchen, Ethel McNett for food concession at the civic auditorium parking lot, Mark Storer for A. & W. Root Beer, James Engelstrom for Ford's Bar & Café; FOUNTAIN, Cecil Lofthouse for Skateland; ELECTRICAL CONTRACTOR, Atlas, Inc.; CLASS D CONTRACTOR, REF, Wernli Refrigeration; CLASS D JOURNEYMAN, GF, Duane Sibbett; CLASS D JOURNEYMAN, REF, Jesse Bert Roberts and Walter C. Simmons; SKATING RINK, Cecil Lofthouse for Skateland; POOL ROOM, Ford's Bar; COMMERCIAL KENNEL, Harold Enebo for Northgate Veterinary Hospital; TAXI CAB OPERATOR, Lonny Johnson. William Dee Prichard; BARTENDER, Jane Garrett, Louise Lockyer, James Simmons; SECOND HAND STORE, Dean Seedall for Dean's for 6 months; JOURNEYMAN ELECTRICIAN, Michael N. Lott, were presented. It was moved by Councilman Erickson, seconded by Hovey, 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 presented the following false arrest claim and explained that, in the interests of time, this had been forwarded to the City Insurance Adjuster on April 15th without formal Council approval:

Roger D. Cox
April 14, 1970

The Idaho Falls City Council
Administrative Building
308 C Street
Idaho Falls, Idaho

RE: CLAIM OF STEVE S. STODDARD

Gentlemen:

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This will advise that the undersigned had been retained by Mr. Steven S. Stoddard relative to certain damages sustained by him as the result of action taken against his person by Idaho Falls Policeman Del D. Stech.

Mr. Stoddard informs us that on or about the 9th day of April, 1970, at approximately 9:00 p.m., Mr. Stech unlawfully, intentionally, without justification or provocation, did falsely arrest, assault, and batter and perform an unlawful search on the person of Mr. Stoddard. Pursuant to the applicable requirements of the Idaho Code, demand and claim is hereby made upon the City of Idaho Falls for all damages sustained by and to Mr. Steve S. Stoddard's person as a result of this action taken by Officer Stech. Mr. Stoddard's damage for which demand is hereby made are specifically identified as follows:

Special Damages	\$ 50.00
General Damages	\$ 2,500.00
Punitive Damages	\$25,000.00

We would appreciate your prompt and immediate consideration of this matter at your earliest possible convenience.

Yours truly,
s/ Roger D. Cox
Attorney at Law

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

The next matter in need of ratification was covered in the following memo:

City of Idaho Falls
April 15, 1970

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: ADVERTISING FOR BIDS FOR WELL PUMP

During a Council work session on April 14, 1970, we presented the situation concerning a pump for Well No. 9. As a result of the discussion and because of a critical time element, the Council authorized this Department to advertise for bids for a deep-well turbine line shaft pump for installation at Well No. 9. Further, we were authorized to immediately request the repair and return of our existing submersible pump.

We are now requesting that the Council ratify this previous action.

Respectfully submitted,
Donald F. Lloyd

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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.

Finally, under matters requiring Council ratification, this memo, was submitted:

City of Idaho Falls
April 15, 1970

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: ENGINEERING CONTRACT - SEWAGE TREATMENT PLANT

The Public Works Committee invited Mr. Earl Reynolds to review with them an engineering contract for the design of the secondary sewage treatment plant. After a careful review, the Public Works Committee submitted the proposition to the Mayor and City Council at an Executive Work Session on April 14.

Following a detailed discussion and the comments from the City Attorney, Mayor and City Clerk were authorized to execute this engineering contract with Cornell, Howland, Hayes, and Merryfield as presented and further that the company would be authorized to commence immediately with the pre-design stage of the work.

We are requesting that the Council ratify this previous action.

s/ Don F. Lloyd

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

This memo was presented and read by the City Clerk:

City of Idaho Falls
April 23, 1970

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

The Police Department has advised that there is again a sufficient quantity of impounded vehicles, bicycles and miscellaneous items to warrant an auction sale.

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The purpose of this memo is to propose that said sale be scheduled for Saturday afternoon at 1:00 p.m., May 16th, 1970 at the usual locations and also for authorization for the City Clerk to publish legal notice accordingly.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

It was moved by Councilman Erickson, seconded by Parish, that the auction sale, as described, be authorized for the time and place as indicated and that publication of legal notice be authorized accordingly. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director, this memo was submitted:

City of Idaho Falls
April 23, 1970

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

Early in 1969 the Council authorized the Mayor to enter into a contract with Aerial Mapping Company of Boise, Idaho to update and expand our photography coverage of the City. The work was done but not accepted nor paid for, since the final product did not meet the specifications of the Engineer's Office. Since the flying must be done again, we are attaching hereto 3 copies of a proposal, in every respect except the date, identical to the one authorized and signed last year. Money has been provided in the Engineering budget to accomplish this work and we are requesting authorization for the Mayor to sign this proposal.

Respectfully submitted,
Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the proposal in question be approved and the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the Public Works Director, this memo was studied:

City of Idaho Falls
April 21, 1970

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: AUTHORIZATION TO ADVERTISE FOR STREET SWEEPER

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We have prepared and reviewed in detail specifications for a new street sweeper. We have provided in the Street Department budget monies for a new machine. We are requesting authorization to advertise for bids for this sweeper both with and without trade-in.

Respectfully submitted,
s/ Donald F. Lloyd

It was moved by Councilman Parish, seconded by Nelson, that the Purchasing Department be directed to advertise for bids as recommended. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
April 20, 1970

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: PROTECTION OF STREETS

The control of excavation in public streets and the safety and protection of all local utilities have become an increasing problem. To provide a means of solution a committee was formed in February of this year representing every local utility excavator.

This committee has requested a revision of City Ordinance Chapter IX Protection of Streets. The suggested changes have been developed by our City Attorney and has the endorsement of the Public Works Committee. We are recommending that the City Attorney be authorized to develop for presentation a revision of Chapter IX, Protection of Streets.

Respectfully submitted,
s/ Don F. Lloyd

The City Attorney concurred that much preparatory study had been made on this subject and that, in the best interest of the City, several changes are needed. It was moved by Councilman Nelson, seconded by Parish, that the City Attorney be directed to proceed as suggested after which the revised Ordinance was to be presented to the Mayor and Council for their consideration. Roll call as follows: Ayes, 6; No, none; carried.

Submitted through the City Clerk was a proposal from the Idaho First National Bank, Boise, Idaho, offering their services as financial consultant in the issuance and sale of revenue bonds for the proposed secondary sewage treatment plant. It was noted that their fee was in the amount of .75 per \$100.00 of par value in bonds sold and that, in the event the bond issue was unsuccessful, there would be no cost nor obligation on the part of the City. Even though the proposal made reference to

\$900,000 in bonds, more or less, Councilman Nelson directed his remarks to the news media, emphasized the fact that, at this time there is nothing sure about the size of the issue, inasmuch as it
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is dependent on the extent of other governmental participation. It was moved by Councilman Parish, seconded by Freeman, that the proposal be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk read the following communications:

April 20, 1970

Mayor Eddie Pedersen
City Hall
Idaho Falls, Idaho

Dear Mayor Pedersen:

I would like to take this opportunity to thank you and the employees of the City who have helped us in so many ways at the Child Development Center.

Specifically, I wish to extend our thanks for the snow removal in the winter, and more recently, the help in having 25th Street graded to eliminate the large water hole which had developed there in the spring. Also, the log poles which were furnished to prevent people from driving on the lawn has certainly been a big help.

It certainly makes our role here much more pleasant to have the cooperation from the City officials.

Sincerely,
s/ R. K. Lechelt
Acting Director

April 17, 1970

The Mayor and City Council of Idaho Falls
Administration Offices
308 "C" Street
Idaho Falls, Idaho

Gentlemen:

To aid our efforts in bringing improved air service to Eastern Idaho, the committee which represents Blackfoot, Pocatello, and Idaho Falls has invited Colonel John W. Dregge, Director of Community and Congressional Relations, Civil Aeronautics Board of Washington, D.C., to

meet with City and chamber officials of Blackfoot, Pocatello, and Idaho Falls. The meeting will be held April 29, 1970, at 12:15 p.m., at the Westbank Motel in Idaho Falls. You are cordially invited to attend this meeting.

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In addition to the City and chamber officials that have been asked to attend, we have invited our congressional delegation, the Director of Idaho Department of Aeronautics, the Chairman of the Idaho Public Utilities Commission, and representatives from Air West and Western Airlines.

Please advise, if you will be in attendance and the number. You should send this information to: H. P. Hill, Director of Aviation, Airport, City of Idaho Falls, Idaho Falls, Idaho, 83401. This information should reach Mr. Hill not later than April 28th.

Very truly yours,
s/ Dwain H. Stufflebeam
Chairman

No Council action was considered necessary.

Councilman Hovey, noting that bids had been opened April 21st on the Eagle Rock Plant Building rehabilitation, announced that the low bidder was Bigger's Construction Company, Idaho Falls, in the amount of \$33,873.89 and that the consulting engineer had recommended that the bid be awarded accordingly. It was moved by Councilman Hovey, seconded by Nelson, that the low bid for the project, as described, be accepted in the amount as indicated. Roll call as follows: Aye, 6; No, none; carried.

Councilman Wood submitted an application from Mr. A. E. Detrick, owner of the Budget Rent-A-Car system, to lease approximately two acres within the Airport Industrial Park. It was moved by Councilman Wood, seconded by Erickson, that the City Attorney, working with the Airport Manager, be directed to prepare an appropriate lease for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

Also introduced by Councilman Wood was an application for another lease within the Airport Industrial Park as further explained and described by the following memo from Director of Aviation, Pete Hill:

City of Idaho Falls
April 23, 1970

TO: Jack A. Wood, Jr. - Chairman, Airport Committee
FROM: Director of Aviation
SUBJECT: AIRPORT INDUSTRIAL PARK LEASE

The request of L. R. Bird and Edahow Distributing Co. to lease approximately two (2) acres located within the Airport Industrial Park is attached.

It is recommended for approval by the Mayor and City Council, provided the lease is executed in accordance with our standard airport industrial park lease and covenants.

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Approval of this lease will require that the agreement between Markum Advertising Co. and the City for the present Westbank Motel billboard sign be cancelled. According to this agreement, the City may cancel upon thirty (30) days notice, which will be accomplished by this office.

s/ H. P. Hill

It was moved by Councilman Wood, seconded by Erickson, that the City Attorney, working with Mr. Hill, be directed to prepare an appropriate lease for Council consideration and that Mr. Hill be authorized to cancel the agreement for the sign as indicated. Roll call as follows; Ayes, 6; No, none; carried.

Councilman Wood then submitted a cancellation agreement on FAA Contract No. DOT-FA7OWE-0668 covering the remote HF antenna site at the airport, inasmuch as this facility is no longer used nor needed by that Governmental Agency. It was moved by Councilman Wood, seconded by Erickson, that this agreement be cancelled. Roll call as follows: Ayes, 6; No, none; carried.

Finally, Councilman Wood re-introduced House Bill #580, recently enacted into law during the last State legislature. Previously, certain representatives from the Fire Department had appeared before the Council demanding that Local Firefighters Union #1565 be recognized as their bargaining agent. At that time the City Attorney questioned the constitutionality of the law in question. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Erickson, seconded by Hovey, that the meeting adjourn at 8:35 p.m., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ James R. Freeman
MAYOR
