

MAY 21, 1970

The City Council of the City of Idaho Falls met in a Regular Meeting, Thursday, May 21, 1970, at 7:30 p.m. in the Council Chambers at Idaho Falls, Idaho. There were present at said meeting, Mayor S. Eddie Pedersen; Councilmen Jim Freeman, Mel Erickson, Jack Wood, Gordon Nelson, Paul Hovey, and Dale Parish. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Rod Gilchrist, City Planner; Les Corcoran, Fire Chief; Don Lloyd, Public Works Director.

Minutes of the last Regular Meeting, held May 7th, 1970, were read and approved.

Mr. Tommy Ogawa, 570 North Wabash, appeared before the Council requesting that the City again apply dust palliative to the unimproved streets in his residential area. Councilman Nelson drew Mr. Ogawa's attention to the fact that invitation for bids was to be presented to the Council this night on L.I.D. No. 40 and that construction of storm drainage lines throughout said area would likely proceed this summer, during which time the streets would be torn up and at times, impassable. He said this project, when completed, would prepare all streets within the area for paving, curb and gutter. Meanwhile, in answer to Mr. Ogawa's request, it was moved by Councilman Nelson, seconded by Parish, that the matter be referred to the Public Works Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

Noting several citizens in the Council Chambers interested in the Stanger Farms Annexation, on the agenda for Council consideration this night, the Mayor asked the City Clerk to present and read aloud the following memo from Planning and Building Director Rod Gilchrist:

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MEMO

TO: Mayor and City Council
FROM: William R. Gilchrist
SUBJECT: FINAL PLAT AND ANNEXATION - STANGER FARMS COMMERCIAL ADDITION

Attached are copies of the Final Plat, Annexation Ordinance, and Annexation Agreement for Stanger Farms Commercial Addition. The City Planning Commission, at the Regular Meeting March 10, 1970, recommended approval of the Final Plat, Annexation to the City of Idaho Falls and zoning the property HC-1, subject to Engineering Department approval. On May 12, 1970, the Planning Commission approved the amended Plat, with the same recommendations.

The Plat is now being submitted to the Mayor and City Council for consideration.

Yours very truly,
s/ William R. Gilchrist

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Because, as indicated in the foregoing memo, the Planning Commission recommendation had been made subject to the approval of the Engineering Department, the Mayor asked the City Clerk to present and read the following memo from the City Engineer:

City of Idaho Falls
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Honorable Mayor and City Council
City Hall
Idaho Falls, Idaho

Gentlemen:

The Engineering Department has reviewed the Plat, Improvement Drawings, and Annexation Agreement for the subject Stanger Farms Commercial Addition. The Plat itself appears satisfactory. The Engineering Department cannot concur with the following items regarding the Developer's Improvement Drawings and Annexation Agreement:

1. Sidewalks should be included in all streets - Anderson Street, Yellowstone Avenue, and Hemmert Drive.
2. The Developer should put in the street facilities - sidewalks, curb, and gutter, and street paving - as the project develops traffic access to and from any of these streets. (The Idaho Department of Highways has said that they have no plans for putting in curb and gutters and paving on Yellowstone within the next few years.) Yellowstone Avenue improvements should also be shown on Improvement Drawings. The requirements of good traffic safety and traffic flow necessitates the construction of these street improvements as traffic access to and from the project is developed.
3. The developer should be entirely responsible for his share of the 8 inch waterline up Hemmert Avenue (irrespective of how the development is finally situated) and for connecting the 6 inch waterline (at the northeast end of the development) into the 8 inch line up Hemmert Avenue.
4. The developer should be responsible for his share of any future sanitary sewer line up Hemmert Avenue.
5. The developer should not be reimbursed for the extra 10 feet of depth on the sewer line from the lift station northeasterly to Hemmert Avenue.
6. The developer should put in a complete storm, drain system up to and including the area adjacent to, and his half of Hemmert Avenue (as shown on original Improvement Drawings).
7. Fire hydrant requirements to be determined by Fire Chief after building locations are finalized. (The developer shows one large building on the improvement drawings.

Apparently, however, they have no idea of how the property will actually be developed. It may be as shown or it may be with a number of separate buildings

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adjacent to Anderson, Yellowstone, or Hemmert, or some other combinations of building locations, and numbers. The interior system of utilities – water, sewer, storm drains, etc. – shown will in all probability, therefore, be entirely different when the development is actually built.)

It is our strong recommendation that the subject developer be required to develop this commercial addition to the same standards set forth for development throughout the rest of the City.

Very truly yours,
s/ Joseph A. Laird
Engineering Department

Mr. Gilbert St. Clair, local attorney representing the developers, appeared before the Council to register concern about the contents of the foregoing memo. He said he had not had the opportunity, prior to presentation by the City Clerk, to have seen or studied it. St. Clair said he was surprised at the many points of difference it reflected, inasmuch as he and those he represented had had several amiable meetings with City Officials to the point where, in his opinion, most major differences had been resolved. He said that, listening to the memo, one would get the impression no progress had been made and that, negotiations-wise, they were virtually back where they started. Gilchrist appeared before the Council to explain that the signed annexation agreement had been delivered to the City Engineer as recently as May 20th, therefore, he was not in a position, prior to that time, to intelligently prepare his written recommendations relative to the plat, the improvement drawings or the provisions and stipulations as proposed in the annexation agreement.

Mr. Zane Hall, also representing the developers, appeared before the Council to confirm the remarks of Mr. St. Clair. He said they represented a well established, financially responsible company that planned to purchase the property and develop in an orderly manner as soon as possible and this would be of substantial benefit to the City. He protested the need for concrete sidewalks on the grounds that there would be no foot traffic. He said they had previously agreed to install curb and gutter according to City specifications. He said he felt the City should stand its share of sewer construction expense as satisfaction for certain property being turned to the City for utilities. Hall said that unless some such financial assistance was forthcoming, the developer would be taxed to the point where the proposed development would be prohibitive. Hall said the developer would agree curb and gutter along Yellowstone providing the development was oriented toward that street but, if it were decided to orient development along Hemmert, street improvements would be concentrated accordingly. Mr. Ed Turner from the Engineering Department appeared to say this was one of Laird's objections. He revealed two sets of improvement drawings, one that had been signed by the City Engineer and another that had not. Turner noted that the Engineering Department, at this time, is not sure where buildings are proposed to be constructed nor what size they are to be.

Mr. DeWayne Bills, representing the developer, appeared before the Council to say that much of this apparent misunderstanding is due to mechanics and timing. He said that development plans are always subject to change, even during construction. He said the developer is not even sure, at

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this time, as to who its tenants will be. The company must know first, that the property is to be available, properly annexed and appropriately zoned. Councilman Nelson said that, not unlike those present representing the developer, the Mayor and Councilman had not had the opportunity, prior to this night, of studying the memo from the City Engineer and it would appear that all problems could be resolved if all interested parties were to discuss the various problems at a round table meeting. He said the developer is facing present needs, whereas, the Council must consider future, as well as present development. Mr. St. Clair, speaking for those interested parties in the Council Chambers, agreed to meet with the full Council the following day for an informal meeting in the Council Chambers. Mr. St. Clair, however, urged tentative or conditional action by the Council this night, inasmuch as time is of the essence and the developer is entitled to assurance that the Council does intend to annex the area in question. Therefore, it was moved by Councilman Wood, seconded by Hovey, that the plat and the annexation agreement be accepted and approved and the Mayor and City Clerk be authorized to sign, subject to all differences being resolved at the aforementioned meeting and subject, also, to final approval by the Public Works Director, the City Engineer, and the full Council. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1271

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO. (STANGER FARMS COMMERCIAL ADDITION)

The foregoing Ordinance was presented in title. It was moved by Councilman Wood, seconded by Erickson, 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.

It was moved by Councilman Wood, seconded by Erickson, that at such time as the Stanger Farms Commercial Addition is annexed into the City, it be zoned HC-1 and the Building Official be then directed to incorporate said zoning on the official zoning map located in his office. Roll call as follows: Ayes, 6; No, none; carried.

License applications for RESTAURANT, Henry Tex Crew, Jr. for Sportsman Association, George Purpura for Spudnut Shop, Turf Café by Thora L. Janning; JOURNEYMAN PLUMBER, Kenneth Berthelson; PHOTOGRAPHER, Peter J. Jahner at 1115 10th Street, Merle Lofthouse for Lisle Ramsey Studio; HOTEL, John Reid for Eddy Hotel; MOTEL (Transfer), from Bill Sullivan to Mel Hoffman for Ray's Hotel; BOWLING ALLEY, Katz Nykaya for Skyline Bowling Lanes; BEER, MAY 21, 1970

(Transfer), from Eugene Orr to R. I. Clayton for Jolly Roger; CAB DRIVER, Carroll B. Jenkins with Yellow Cab Company; BARTENDER, JoAnn Parsons, Kristy A. Nilson 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 an application from Mr. Ted Le Baron for an Idaho Catering Permit to sell canned beer at the Sportsman Jamboree at the Highland Ball Park, May 23, 1970. It was moved by Councilman Erickson, seconded by Parish, that this permit be granted, subject to the approval of the Police Chief. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the City Clerk was submitted:

City of Idaho Falls
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To Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

After two reminder notices the following business locations have not applied for their 1970 licenses:

Grocery Store - Pleasant Valley Drive In (2 locations)

Restaurant - The Dog House and The Big G

We ask your approval to turn these names to the Police Department for appropriate action.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

It was moved by Councilman Erickson, seconded by Hovey, that the action, as proposed and recommended, be approved. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Purchasing Department was submitted:

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Electrical Materials

Honorable Mayor and Councilmembers:

Tabulation of bids for electrical materials is attached.

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It is the recommendation of the Electric Light Division and the Purchasing Department that the award of bids for the electrical materials in the amount of \$65,006.71 be awarded in the following manner.

Items #1 through #6, described below: ELECTRICAL CONTRACTORS SUPPLY \$44,755.18

Item # 1	100,000 lb.	37 Strand Al Bare	795 MCM
Item # 2	2,900 lb.	6/1 "Raven"	1/0 ACSR
Item # 3	40,000 ft.	"Cockle"	#2 Triplex
Item # 4	20,000 ft.	"Janthina"	#1/0 Triplex
Item # 5	5,000 ft.	"Voluta"	#6 Triplex
Item # 6	30,000 ft.	Soft Drawn Copper	#6 Solid Bare

Items #7, #8, and #10, described below: MINE AND SMELTER SUPPLY \$ 3,119.06

Item # 7	200 lb.	Tie Wire	#4 Aluminum
Item # 8	200 lb.	Tie Wire	#6 Aluminum
Item #10	1,200 lb.	15 KV URD	350 MCM Copper

Items #9, #11, and #12, described below: WESTINGHOUSE ELECTRIC SUPPLY \$17,132.47

Item # 9	30,000 ft.	15 KV URD	#2 Aluminum
Item #11	5,000 ft.	5 KV W/Jacket & Shield	350 MCM Copper
Item #12	1,000 ft.	15 KV URD-GE IS-58701 or Equivalent	

This recommendation is based on both pricing and delivery requirements.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Hovey, seconded by Nelson, that these bids be accepted for the electrical material as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Purchasing Department was presented, to-wit:

City of Idaho Falls
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One (1) Three Wheel, Self Propelled, Pickup Street Sweeper, with Double Gutter Broom

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Honorable Mayor and Councilmembers:

Tabulation of bids for one (1) three wheel self propelled pickup street sweeper with double gutter groom is attached.

Evaluation of bids received shows Arrowhead Machinery of Boise, submitting the low bid without trade-in of \$11,858.00.

With the increased summer sweeping schedule, it is the recommendation of the Public Works Division and the Purchasing Department that the low bid without trade-in be accepted and the old sweeper retained for standby use.

This subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Nelson, seconded by Parish, that the low bid without trade-in of Arrowhead Machinery of Boise, be accepted for the street sweeper as described and the old sweeper be retained on stand-by for the time being. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the City Controller was presented and studied:

City of Idaho Falls
May 21, 1970

TO: Mayor S. Eddie Pedersen and City and Council
FROM: L. I. Jenkins, City Controller
SUBJECT: NUCLEAR EDUCATION AND INFORMATION CENTER

At a meeting this morning, of the Nuclear Education and Information Center Committee for the establishment of such a facility in the City of Idaho Falls attended by Mayor S. Eddie Pedersen and the City Controller, the consensus of the membership is to proceed with a feasibility study for the establishment of the Center. This meeting is the most recent of many held in the last three years and discussions have reached a point in progress requiring the feasibility study. The City's initial participation would be to underwrite the cost of the feasibility study on a reimbursement basis. That is, from the proceeds of funds raised for

establishment of the Center, the City would be reimbursed the \$4,500.00, from the top. This will not be handled as a budgeting item. Instead, it will be carried on the books as an account receivable due from the Nuclear Education and Information Center.

Your favorable consideration to proceed would be appreciated by the Committee and the many others interested in the establishment of this Center in the City of Idaho Falls.

s/ L. I. Jenkins

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It was moved by Councilman Parish, seconded by Erickson, that the City participate in financing a feasibility study for a Nuclear Education and Information Center with the understanding that the City be reimbursed if and when a center, as described, is established. Roll call as follows: Ayes, 6; No, none; carried.

Through the City Clerk the Public Works Director presented an outside the City sewer contract from Mr. George Balmforth to serve a chapel and reception center to be located on the south side of Sunnyside Road between the Wallace Dairy and the Idaho Canal. In answer to a question by Councilman Parish, City Planner Gilchrist explained that the zoning placed on this property by the County is contrary to the master land use plan. Gilchrist also noted that the City Planning Commission was not in favor of said zoning action, but were not contracted on the matter. It was moved by Councilman Parish, seconded by Wood, that this be referred to the City Planning Commission and the City Attorney for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director, this memo was forthcoming:

City of Idaho Falls
May 21, 1970

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: INDUSTRIAL WATER ORDINANCE

With the coming of Secondary Sewage Treatment and the treatment of Industrial Waste, it will be necessary to enlarge upon and update our existing Sewerage Ordinance. This need has been discussed with the Public Works Committee and since considerable time will be required for preparation, we are now requesting authorization for the City Attorney to prepare a revised Sewerage Ordinance. This need has been discussed with the Public Works Committee and since considerable time will be required for preparation, we are now requesting authorization for the City Attorney to prepare a revised Sewerage Ordinance.

Respectfully submitted,
s/ Don F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the City Attorney be directed to revise the Sewerage Ordinance for the reasons as indicated. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
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TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: BOND ISSUE FOR SECONDARY SEWAGE TREATMENT
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Prior to establishing a local bond issue for financing secondary sewage treatment the Public Works Committee wanted firm commitment from both State and Federal agencies for their share of the project costs. We have found out, however, that grants will not be offered until the local financing has been secured.

Waste treatment needs for the City of Idaho Falls have already been certified by the Health Department and matching grants from the State and Federal will receive a high priority. We recommend to the Council that a date be established for conducting the bond election for financing secondary sewage treatment and sewer interceptor.

Respectfully submitted,
s/ Don F. Lloyd

Councilman Nelson reminded the Council that the City Attorney had conferred with the financial consultant and he had recommended that the bond election in question be scheduled in September. It was moved by Councilman Nelson, seconded by Parish, that the date for the secondary sewage treatment plant bond issue be set for September 15, 1970. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk presented an invitation for construction bids under L.I.D. No. 40 and asked for authorization to advertise. In answer to a question, Public Works Director Lloyd explained that engineering plans and specifications had been forwarded to HUD, that they had verbally approved them by phone with assurance that said approval would be followed by a letter of written confirmation. By general Council consensus, it was agreed that the legal notice in question should not be published until said written confirmation had been received, and the by official Council action.

This letter was read at the request of the Mayor who asked that it be made a matter of record:

U.P. Railroad Company
May 8, 1970

Mr. Donald F. Lloyd, P.E.
Director of Public Works

P.O. Box 220
Idaho Falls, Idaho

Dear Mr. Lloyd:

Thank you for arranging the excellent City representation of our meeting yesterday. It was a productive visit, and I appreciate your permitting me to expand utilities question beyond the City's requirements for land for the proposed secondary sewage treatment plant.

A detailed map illustrating the approximately 114 acres acquired by the Railroad Company is attached for your information. As you suspected, this map does indicate that our ownership

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does not quite extend to the present sewage treatment plant, so the owner of the intervening 30-foot strip will necessarily be involved in the proposed expansion of the plant.

As soon as the area of expansion is defined and a suggested appraisal value determined, I understand this information will be forwarded to us.

There are no problems envisioned, and we will certainly be glad to cooperate with you on this project.

Sincerely yours,
s/ R. L. Roberts

Councilman Hovey announced that tentative arrangements have been made through Med-Alert Ambulance Service, Pocatello, Idaho, for the rental at \$200.00 per month of a late model ambulance. Hovey reminded the Council that the present arrangement with Ricks College ambulance is only \$150.00 per month, it is an older vehicle capable of carrying only two passengers, whereas the one from Pocatello carries four. Hovey noted, further, that this cost would be shared with the County. The ambulance would continue to be operated by the City Fire Department. It was moved by Councilman Hovey, seconded by Wood, that the Fire Chief be authorized to secure a lease for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

It was noted that the arrangement between the City and Ricks College for use of their ambulance was approved only by informal Council action. It was moved by Councilman Hovey, seconded by Wood, that this action be officially ratified. 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 9:10 p.m. carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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