

OCTOBER 8, 1964

The City Council of the City of Idaho Falls, Bonneville County, Idaho, met in Regular Public Session at the regular meeting place of the Council in the City Hall in the City of Idaho Falls, at 7:30 P.M., October 8, 1964. The roll was called and the following found to be present: Mayor S. Eddie Pedersen; Councilmen Karl Page, Philip Leahy, Jim Freeman, Gordon Nelson, Dale Parish, Roy Keller. Absent: None. There were also present: Roy C. Barnes, City Clerk; William Nixon, representing the City Attorney firm of Albaugh, Bloem, Smith & Pike; Luther Jenkins, City Controller; William Fell, Electrical Engineer; Robert Pollock, Police Chief; Don Lloyd, Public Works Director.

After the Meeting had been duly called to order and the minutes of the preceding Meeting read and approved, the following ordinance was introduced in written form by Councilman Page and was read by title. Councilman Parish moved that the rule requiring the reading of the ordinance three different days be dispensed with and the motion was adopted by the vote of not less than three-fourths of the Council, to wit: Ayes; Page, Leahy, Freeman, Nelson, Parish, Keller. Nay; None.

The ordinance was thereupon again read by title and was read in full, after which, pursuant to motion made by Councilman Leahy and seconded by Councilman Freeman, the ordinance was adopted by the following vote: Ayes; Freeman, Keller, Leahy, Nelson, Page, Parish, Nay; None.

The ordinance was thereupon signed by the Mayor in evidence of his approval, was attested by the City Clerk, was ordered recorded and is as follows:

ORDINANCE NO. 1117

AN ORDINANCE CALLING AN ELECTION FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED ELECTORS OF SAID CITY WHO ARE TAXPAYERS THE PROPOSITION OF THE ISSUANCE OF \$587,000.00 FIRE DEPARTMENT IMPROVEMENT BONDS OF THE CITY OF IDAHO FALLS, AND PROVIDING FOR THE ISSUANCE OF SUCH BONDS IN THE EVENT THEY ARE VOTED AT SUCH ELECTION.

Mrs. Pat Decker of the League of Women voters appeared before the Council and presented a poster which her organization had proposed displaying at every polling place within the City limits at the general election in November, reminding the voter that voting qualifications for the City's special bond election on December 8th differed from voting qualifications for the general election. She asked the Council's approval on the poster and also that the City assume the material costs for same. It was moved by Councilman Page, seconded by Leahy, that the request be approved. Roll call as follows: Ayes, 6; No, none; carried.

Dr. Deldon Gray of the Idaho Falls Lions Club appeared before the Council and introduced other members of that organization, also present, as follows: Warren Bybee, Max Call, and Boyd Wecker who acted as spokesman. Mr. Wecker presented a proposal whereby the Lions Club would construct a revolving stage in the Civic Auditorium, thirty feet in diameter, in eight pie shaped sections. He explained that Mr. Call would be responsible for the engineering and the members for construction. He proposed that the City stand 50% of the cost which would approximate \$500.00

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minimum, or \$800.00 with steel reinforcing, or \$1,000.00 with provision for power driven facilities or \$1,200.00 to \$1,400.00 with a motorized power driven unit and even more for permanent staging with all of the foregoing features. It was moved by Councilman Leahy, seconded by Parish, that this attractive proposal be referred to the Civic Auditorium Board for their study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of September, having been properly audited by the Finance Committee, were presented as follows, in caption form, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$96,827.53	\$60,860.82	\$157,688.35
Fire Bonds	20,685.35	5,175.30	25,860.65
Water and Sewer	8,943.73	50,946.71	59,890.44
Electric Light Fund	23,668.49	70,635.74	94,304.23
Recreation Fund	1,861.52	1,467.60	3,331.12
Police Retirement	<u>1,909.46</u>	<u>.00</u>	<u>1,909.46</u>
TOTAL	\$153,896.08	\$189,088.17	\$342,984.25

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

Reports from Division and Department Heads for the month of September were presented and, there being no objection were ordered placed on file in the office of the City Clerk.

License applications for BEER, (canned or bottled, not to be consumed of the premises), Arno Davies for Green Horn Sports Sales; CLASS D JOURNEYMAN WARM AIR HEATING & VENTING, (previously approved by the Heating Inspector), for Remes Edwin Hansen; APPRENTICE GAS FITTER, (previously approved by the Heating Inspector), Gene Kuharski for H-L Electric; CLASS D JOURNEYMAN WET HEAT, (previously approved by the Heating Inspector), for Don Frisby; CLASS D JOURNEYMAN WET HEAT (previously approved by the Heating Inspector), Wallace Pendleton for Wally's Plumbing were presented. It was moved by Councilman Leahy, seconded by Freeman, that these licenses be approved. Roll call as follows: Ayes, 6; No, none; carried.

This claim denial recommendation was read:

Safeco-Lifeco-General Ins
258 Broadway
Idaho Falls, Idaho
September 30, 1964

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City of Idaho Falls
Idaho Falls, Idaho

Attention: Mr. Roy C. Barnes
City Clerk

Re: Your Policy: BLP 23271
Loss Date: 6-12-64
Claimant: Steve Rhoades

Dear Mr. Barnes:

We have made complete investigation of the claim which Mr. Rhoades has presented to the City of Idaho Falls. Our investigation reveals that Mr. Rhoades was negligent in the operation of his vehicle. We recommend that this claim be denied.

Sincerely yours,
Safeco Insurance Company
s/ Merlyn D. Colpron
Claims Adjustor , I. F. Field Office

It was moved by Councilman Nelson, seconded by Leahy, that this be referred to the City Attorney for further study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1118

AN ORDINANCE CONCERNING COSTS AND EXPENSES OF LOCAL IMPROVEMENT DISTRICT IMPROVEMENTS, CONFIRMING THE CREATION AND ESTABLISHMENT OF LOCAL IMPROVEMENT DISTRICT NO. 32 FOR IDAHO FALLS, IDAHO, FOR SANITARY SEWER CONSTRUCTION, APPROVING THE ASSESSMENT ROLL FOR SAID DISTRICT, PROVIDING FOR THE PAYMENT IN INSTALLMENTS OF THE COSTS AND EXPENSES OF THE IMPROVEMENTS TO BE MADE IN SAID DISTRICT; PROVIDING FOR THE ISSUE OF IMPROVEMENT BONDS OF THE DISTRICT; ASSESSING THE COST OF THE IMPROVEMENTS AGAINST THE LOTS, BLOCKS AND PARCELS OF LAND IN SAID DISTRICT CONTIGUOUS OR ADJACENT TO, FRONTING OR ABUTTING UPON SAID IMPROVEMENTS IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE CREATION OF LOCAL IMPROVEMENT GUARANTY FUND

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FOR THE PAYMENT OF SAID IMPROVEMENT BONDS, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN EFFECT.

The foregoing Ordinance was presented in title. It was moved by Councilman Keller, seconded by Freeman, that the provisions of Section 50-2004 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 50-2004 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.

ORDINANCE NO. 1119

AN ORDINANCE CONCERNING COSTS AND EXPENSES OF LOCAL IMPROVEMENT DISTRICT IMPROVEMENTS, CONFIRMING THE CREATION AND ESTABLISHMENT OF LOCAL IMPROVEMENT DISTRICT NO. 33 FOR IDAHO FALLS, IDAHO, FOR STORM SEWER CONSTRUCTION, APPROVING THE ASSESSMENT ROLL FOR SAID DISTRICT, PROVIDING FOR THE PAYMENT IN INSTALLMENTS OF THE COSTS AND EXPENSES OF THE IMPROVEMENTS TO BE MADE IN SAID DISTRICT; PROVIDING FOR THE ISSUE OF IMPROVEMENT BONDS OF THE DISTRICT; ASSESSING THE COST OF THE IMPROVEMENTS AGAINST THE LOTS, BLOCKS AND PARCELS OF LAND IN SAID DISTRICT CONTIGUOUS OR ADJACENT TO, FRONTING OR ABUTTING UPON SAID IMPROVEMENTS IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY BY SAID IMPROVEMENTS; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE CREATION OF LOCAL IMPROVEMENT GUARANTY FUND FOR THE PAYMENT OF SAID IMPROVEMENT BONDS, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN EFFECT.

The foregoing Ordinance was presented in title. It was moved by Councilman Leahy, seconded by Page, that the provisions of Section 50-2004 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 50-2004 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

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placed before the Council for final consideration the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Purchasing Agent was presented and read:

City of Idaho Falls
Purchasing Agent
October 1, 1964

Coal Bid

Honorable Mayor and Councilmembers:

Tabulation of bids received from joint coal bid with the School District No. 91 and the City show Clyde Hess and Sons, as submitting the low delivered price of \$10.10 per ton.

It is the recommendation of the Purchasing Department that this low bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Leahy, seconded by Keller, that the low bid of Clyde Hess be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Three City redemption tax deeds were presented, accompanied by appropriate resolutions, as follows:

RESOLUTION (Resolution No. 1964-37)

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 25th day of January, 1962, recorded in Book 139 of Deeds at Page 69, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Lots Thirty-four (34), Thirty-five (35) and Thirty-six (36), Block Thirty-two (32), Capitol Hill Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, VAL DONEY 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:

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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 VAL DONEY a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 8th day of October, 1964.

APPROVED BY THE MAYOR this 8th day of October, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

RESOLUTION (Resolution No. 1964-38)

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 16th day of September, 1964, recorded in Book 101 of Deeds at Page 63, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

The west 15 feet of Lot 3, all of Lots 4, 5, and 6, Block 25, Capitol Hill Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, ELDA LEE, Guardian of the person and estate of MAY KROLL aka MAE KROLL, an incompetent person, 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 the payment of said sum of money by said purchaser to make, execute and deliver to the said ELDA LEE, Guardian, a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 8th day of October, 1964.

APPROVED BY THE MAYOR this 8th day of October, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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RESOLUTION (Resolution No. 1964-39)

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 21st day of February, 1958, recorded in Book 112 of Deeds at Page 285, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

The west 15 feet of Lot 3; all of Lots 4, 5, 6, Block 25, Capitol Hill Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, ELDA LEE, Guardian of the person and estate of MAY KROLL aka MAE KROLL, an incompetent person, 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 the payment of said sum of money by said purchaser to make, execute and deliver to the said ELDA LEE, Guardian, a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 8th day of October, 1964.

APPROVED BY THE MAYOR this 8th day of October, 1964.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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

This memorandum from the Public Works Director was presented:

City of Idaho Falls
October 5, 1964
Acct. No. 11A-37

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

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Gentlemen:

On September 29, 1964 the City of Idaho Falls Engineering Department received bids for the drilling of Well No. 11. The following bids were received.

Cushman & Johnson	\$21,910.00
Hopkins Brothers	17,148.00
R. P. Cope Well Drilling	15,408.50
Cope Drilling & Pump Co.	13,114.00
Andrew Well Drilling	11,859.90

The engineers estimate for this project was \$12,000.00. On the basis of these bids, it is recommended that the Andrew Well Drilling Co. be awarded the contract and the Mayor and City Clerk be authorized to sign the necessary Contract Documents.

Respectfully submitted,
Engineering Department
Donald F. Lloyd, P.E.
City Engineer and
Public Works Director
s/ Rance Bare
Design Engineer

It was moved by Councilman Nelson, seconded by Keller, that Andrew Well Drilling, as low bidder, be awarded the contract as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Through the City Clerk the Controller presented a memo requesting and recommending that the City audit report for the year ending December 31, 1963, as prepared by the City auditing firm of Williams, Gaskill and Ferguson, be accepted. It was moved by Councilman Leahy, seconded by Nelson, that the report be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried. It was understood that a representative from that firm would meet with the Council at some future date so that the audit could be properly reviewed and explained where necessary.

This memo from the Electrical Engineer was presented and read, with explanatory comments by Electrical Engineer Fell:

October 5, 1964

MEMORANDUM

TO: Council Committee
FROM: William H. Fell
SUBJECT: NINTH STREET SUBSTATION BID EVALUATION

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The Electric Division recommends award of the L.T.C. transformer and switchgear to the low bidder, Westinghouse, in the amount of \$72,560.00 including all requested optional components.

Three utilities were contacted who had actual operating experience with this type of equipment. All three had reasonable records and could see no justifiable reason for not accepting it on an operating experience and application basis.

Westinghouse, as did all other bidders, took exception to the liquidated damage portion of the delivery clause. On this basis it appears satisfactory to accept the low Westinghouse bid. (Attorney Albaugh verbally approved award recommendation including this exception provision.) Manufacturer delivery quoted at 17 weeks. City delivery requirement 28 weeks, hence no delivery problem is anticipated.

The type of switchgear recommended will fulfill all electrical requirements.

Attached is bid tabulation.

It was moved by Councilman Leahy, seconded by Freeman, that the low bid from Westinghouse for the L.T.C. transformer and switchgear be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1120

AN ORDINANCE VACATING AND CLOSING A PORTION OF FIFTEENTH STREET IN THE CITY OF IDAHO FALLS, IDAHO, FOR THE SOLE AND EXCLUSIVE USE OF ADJOINING PROPERTY OWNERS; PARTICULARLY DESCRIBING SAID LAND AND PROVIDING WHEN SAID ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Parish, seconded by Leahy, that the provisions of Section 50-2004 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 50-2004 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.

The preceding ordinance having been passed, quit claim deeds were presented in favor of certain affected parties, as follows: Brunt Better Built Homes, J.P. Griggs. It was moved by

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Councilman Parish, seconded by Leahy, that the Mayor and City Clerk be authorized to sign these deeds. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO.

AN ORDINANCE AMENDING SECTION 4-5-49 OF THE CITY CODE OF IDAHO FALLS, IDAHO, AND PROVIDING THAT WHERE A WATER USER IS SUPPLIED WITH WATER THROUGH MORE THAN ONE METER CHARGES SHALL BE COMPUTED SEPARATELY FOR EACH METER UNLESS ALL OF SAID METERS SUPPLY ONLY ONE BUILDING.

It was moved by Councilman Page, seconded by Nelson, that this Ordinance be referred to the Public Works Committee for complete study, consideration and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor noted that the Equitable Life Assurance Society had completed their solicitation of City employees relative to increased insurance coverage for minimum rates and that the response from said employees was far in excess of the required 75%. It was moved by Councilman Nelson, seconded by Parish, that the revised program, as outlined, be accepted and effective as of October 1st, 1964. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Nelson presented and read the following memo from the Building Official:

City of Idaho Falls
Building & Zoning Div.
October 2, 1964

Gordon Nelson
Councilman

Dear Gordon:

I would like to present, for your consideration, an application by the Idaho Potato Growers for a permit to construct an all metal warehouse for potato storage. The warehouse will be located east of their present building between the canal and the river.

Attached is a plot plan of the site.

This proposed construction does not comply with the Code, as to fire rating.

At present, it is in Fire Zone #1. Under the new proposed Fire Zone Code, it will be Fire Zone #2. Both zones require all buildings to be of one-hour fire rated construction throughout.

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Yours truly,
s/ Ray Browning
Building Official

It was noted that this had been previously discussed by the Council at an informal meeting. It was moved by Councilman Nelson, seconded by Parish, that the waiver appeal be granted as requested. Roll call as follows: Ayes, 5; Leahy, no; carried.

An application for urban planning assistance in the amount of \$34,880.00 was submitted, said application of which had been prepared by Clark, Coleman and Rupeiks and directed to the State Department of Commerce and Development. This was tabled for complete study and consideration by the City Council and the City Attorney.

Councilman Keller noted that the City has 257 employees that work out of doors and are, thus exposed to the elements of winter. He proposed that all of these employees be given the opportunity to take a combination flue and cold shot plus one booster shot, available to the City at 50¢ per shot through the City Physician. It was moved by Councilman Keller, seconded by Nelson, that this policy be adopted and the expenditure be approved with the understanding that the offer be made to the employee on a voluntary basis. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Page, seconded by Leahy, that the meeting adjourn. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
