

MARCH 9, 1964

The City Council of the City of Idaho Falls met in Recessed Regular Session, Monday, March 9, 1964, at 7:30 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor S. Eddie Pedersen; Councilmen Leahy, Nelson, Page, Parish, Freeman, and Keller. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Ray Browning, Building Official; Luther Jenkins, Controller; Dale Berrett, Engineer; Ethan Axtmann, Traffic Engineer.

Minutes of the last Regular Meeting, held February 20th, and a Special Meeting held February 27th, 1964, were read and approved.

Mr. James Shane, secretary of Hotel Rogers, Inc., appeared before the Council and presented the following:

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

Gentlemen:

In 1959, prior to the building of the several large motels comprising a total of more than 300 additional rooms, the Hotel Rogers had available for renting a total of 130 rooms, all or most of which were rented day after day through the year. At this writing, the Hotel has reduced its number of rooms to 110 and contemplates a further reduction to 80 rooms when development of the annex into an office building is completed. The reason for this change from hotel to office purposes is that the hotel business has suffered greatly because of the overbuilding of motels in the City. Through the month of January, the daily average hotel room rentals was 28, and through February, the average was 36.

The current method of billing for use of water and for sewer facilities is based on \$.95 for water and \$.30 for sewer, multiplied by the total number of rooms available for occupancy in the Hotel with no consideration for the vacant rooms.

When a residence or an apartment in the City stands vacant, no monthly charge for water or sewer is assessed against the property. I suggest that when a hotel room stands vacant its water-sewer charge should also be stopped.

It is a simple problem for a hotel or motel to determine its average room occupancy for any given period of time and report it to the City Clerk by means of certified statement as a just basis for water-sewer charges.

For the month of February, 1964, the Hotel Rogers was charged \$137.50 for water-sewer for 110 rooms, each room at \$.95 for water and \$.30 for sewer. During that period of time our average occupancy was but 36 rooms while the remainder of the rooms were vacant. A charge of \$45.00 based on the average occupancy of 36 rooms would be just.

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We respectfully recommend that the water-sewer charges for hotels, motels and other like rooming houses where water meters are not installed be based on the actual average occupancy per period rather than the total number of rooms available with no allowance for rooms which are vacant.

Very truly yours,
Hotel Rogers, Incorporated
s/ James L. Shane
Secretary

Councilman Nelson inquired as to the cost of metering and it was learned from Veral Bates of the Public Works Division that, due to the fact that the premises are served by three water lines, the cost of metering would be relatively high in the amount of \$1,159.08. With regard to permitting credit adjustments for vacant rooms, the Mayor commented to the effect that this would be precedent setting and if done, all other un-metered hotels and motels would have a right to be treated similarly. Councilman Nelson commented to the effect that this problem should be approached from the standpoint of procedure and policy and that, not only hotels and motels, but all other businesses should be treated alike. Mr. Merrill Smith, representing the Bonneville Hotel appeared and concurred with Mr. Shane's proposal, appealing for similar consideration. It was moved by Councilman Page, seconded by Freeman, that this matter be referred to the Public Works Committee and the City Attorney for study and recommendation. Roll call as follows: Ayes, 6; No, None; carried.

Mr. Dennis Olsen, local attorney representing the Ben Lomond interests, appeared before the Council, requesting that a review be made of a previous Planning Commission decision regarding the Roy H. Bennett Shopping Center. He explained that he requested modification of the original plat to permit a second service station within the center, that Ben Lomond, Inc. had made application for a building permit, accordingly, prior to the time the area had been zoned RSC and that said application had been denied by the Building Official and the City Council. Asked for an opinion by the Council, the City Attorney said the alleged action as described by Mr. Olsen had taken place prior to his tenure of office and that he would need time to study the case. It was moved by Councilman Page, seconded by Nelson, that the action of the Planning Commission and the previous City Council be sustained, subject to said study by the City Attorney. Roll call as follows: Ayes, 6; No, None; carried. Mr. Olsen said he would welcome the opportunity to discuss the matter with the City Attorney.

Mr. Alvin Price, 145 East 16th, appeared before the Council and asked Councilman Leahy what plans were pending for the development of the Sand Creek Park, and was told that a preliminary project was to be considered this night.

Bills for the month of February, 1964, having been properly audited by the Finance Committee, were presented in caption form, as follows:

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<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$134,737.95	\$60,638.52	\$195,376.47
Recreation Fund	709.85	34.21	744.06
Fire Fund	29,739.12	1,670.16	31,409.28
Electric Light Fund	35,967.63	46,413.14	82,380.77
Water & Sewer	13,186.86	16,841.65	30,028.51
Police Retirement	<u>1,909.49</u>	<u>.00</u>	<u>1,909.49</u>
TOTAL	\$216,250.90	\$125,597.68	\$341,848.58

Councilman Parish, by way of explanation that the total payables were higher than usual and exceeded income for the month, pointed out that payroll covered three pay periods rather than two, that \$5,239.29 payable to the Civic Auditorium bond and interest fund would be eventually reimbursed to the general fund, that \$9,220.12 payable to the State Insurance Fund covered a six month period and that \$15,045.26 payable to Tandy & Wood was a prepaid item. It was moved by Councilman Page, seconded by Parish, that the bills be approved and the Controller be authorized to draw warrants on the respective fund for their payment. Roll call as follows: Ayes, 6; No, None; carried.

Reports from Division and Department Heads for the month of February, 1964, were presented and, there being no objection, were ordered placed on file in the office of the City Clerk.

License applications for JUNK DEALER, Joe Kushmider; ELECTRICAL CONTRACTOR (previous approval of Electrical Inspector) H. M. Grosbeck, J. Vernon Priest, J. F. Unsworth, Robert A. Robinson; JOURNEYMAN ELECTRICIAN, (previous approval of Electrical Inspector) H. M. Grosbeck, J. Vernon Priest, J. F. Unsworth, Robert A. Robinson, Owen Benzon, Willard Smith; GAS CONTRACTOR, Ahrco Co., Idaho Heating; JOURNEYMAN GAS FITTER, (previous approval of Heating Inspector) W. Lovell Harrop, Cal D. Schultz; APPRENTICE GAS FITTER, (previous approval by Heating Inspector) Vaughn Johnson; JOURNEYMAN PLUMBER, (previous approval of Heating Inspector) Dale Mathews, Dallas Pope, Jerry Anderson; RESTAURANT, (previous approval of City Sanitarian) Skylark Café, The Colonel's Take Home; MILK VENDOR, (previous approval of City Sanitarian) Pleasant Valley Farms were presented. It was moved by Councilman Leahy, seconded by Keller, that these licenses be approved. Roll call as follows: Ayes, 6; No, None; carried.

License application for HOTEL, Oregon Rooms; POOL ROOM, Ford's Bar were presented. It was moved by Councilman Nelson, seconded by Parish, that these licenses be granted, subject to the approval of the Police Chief. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Nelson drew attention to the fact that the William Hatch property had been illegally zoned, due to the fact that the Notice of Zoning Hearing carried an inaccurate, legal description of the property in question. It was moved by Councilman Nelson, seconded by Page, that the Council action dated February 20th, 1964 in zoning this property be rescinded and the Building Official be directed to so notify all near-by interested parties. Roll call as follows: Ayes, 6; No, None; carried.

Reference was made to the William Cook damage claim which can be found on Page 536 in this Book of Minutes, at which time it had been referred to the City Insurance carrier for investigation

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and recommendation. That agency had denied the claim on the grounds that the frozen water pipe was City property and was thawed out by City crews, and thus, became a case of maintenance, rather than one of damage. Mr. Cook had rendered a bill to the City, covering the cost of a plumber's service call and claimed that said call was unnecessary, in view of the fact that the freezing took place in a City line. The question of responsibility arose in the minds of the Council. It was moved by Councilman Page, seconded by Leahy, that this problem be referred to the City Attorney for further study and recommendation. Roll call as follows: Ayes, 6; No, None; carried.

Mr. Brent Davis, acting Electrical Engineer, reminded the Council that the Electrical and Water Departments had discontinued the practice of thawing privately owned water pipes. He asked if the Council concurred that this practice be not resumed. This also was referred to the City Attorney for study and legal opinion.

A denial recommendation on the Dewayne Lords damage claim was read, to-wit:

February 28, 1964

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

RE: Claim of E. Dewayne Lords
Date of Loss: 12/18/63

Gentlemen:

We have investigated this claim and find that damage to the property of Mr. Lords did not occur as a result of an accident. We are therefore unable to assist in the settlement of his claim.

We enclose a copy of our first report and a copy of the Company's reply. Please be guided accordingly.

Yours truly,
s/ Art Knight
Manager

It was moved by Councilman Leahy, seconded by Parish, that this be referred to the City Attorney to ascertain the City's legal right to make restitution, in the event the Council were to so direct, even though the claim had been denied by the Insurance Carrier. Roll call as follows: Ayes, 6; No, None; carried.

A pole line easement from Utah Power and Light Company was presented, covering right of way for three guy anchors and five poles, necessary to serve the Wiley Snarr farm. It was moved by Councilman Leahy, seconded by Keller, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, None; carried.

Attention was drawn to a petition by Linus V. Young, presented to the Board of Adjustments May 8th, 1963, requesting permission to construct a fourth apartment in an existing apartment house

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at 603 I Street. It was noted that land area is limited to 4400 square feet and that 10,000 square feet is required by Code. It was noted, further, that this was approved by the Board on the above mentioned date but never presented to the Council and that, on the strength of the Board's approval, Mr. Young purchased the property and is now applying for a building permit. It was moved by Councilman Nelson, seconded by Leahy, that this matter be referred to the City Attorney for study and recommendation and also to obtain a legal opinion to determine the area of authority of the Board of Adjustments. Roll call as follows: Ayes, 6; No, None; carried. Councilman Parish asked Building Official Browning for his recommendations for minimum area requirements as pertains to duplexes, triplexes and four-plexes.

This memo from the City Treasurer was read by the City Clerk:

2-27-64

TO: Mayor and Council and
Police Retirement Board of Commissioners
FROM: City Treasurer
SUBJECT: POLICE RETIREMENT INVESTMENT

Please be advised that \$25,000 in surplus funds for Police Retirement have been invested in U. S. Treasury bills, as authorized in your letter of February 5, 1964. This is in addition to the \$50,000 which was reinvested earlier in the month of an exchange of securities handled by Goodbody & Co., formerly Hogle & Co. This leaves a cash on hand balance of \$18,258.

s/ Zelda Houchens

cc: Val D. Johnson

No Council action was considered necessary.

This letter from the local Civil Defense Director was read:

BONNEVILLE COUNTY
Department of
DISASTER RELIEF AND CIVIL DEFENSE
March 9, 1964

Honorable S. Eddie Pedersen
Mayor of Idaho Falls
Idaho Falls, Idaho

Dear Sir:

Will you please request of your City Council that they approve the sum of \$1,250.00 as the City of Idaho Falls share for the City of Idaho Falls Bonneville County Civil Defense budget. This budget has been approved by the Board of Commissioners of Bonneville County.

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The Idaho Falls Bonneville County Civil Defense new office is now located in the Federal Land Bank Building, Capitol & D Street. I wish to thank the Mayor and Council for the use of the Airport office as the Civil Defense office over the past two years.

A Civil Defense Seminar under the supervision of the United States Civil Defense Council, Region 8, will be held in Idaho Falls July 22, 23, and 24 in which 250 Civil Defense Directors from Region 8, which includes Montana, Oregon, Idaho, Washington, and Alaska, will be in attendance.

Trusting your Council members will approve the request for the City's share of the Civil Defense budget, I remain

Yours very truly,
s/ Lewis C. Ross, Jr.

It was moved by Councilman Nelson, seconded by Leahy, that this be referred to the Public Health and Welfare Committee for study and recommendation. Roll call as follows: Ayes, 6; No, None; carried.

This joint memo from the Building Official and the Heating and Cooling Inspector was read:

February 27, 1964

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Gentlemen:

At the regular meeting of the Heating and Cooling Board held February 1, 1964, the secretary was requested to contact the Mayor and Council pertaining to the matter of examination (fees only) for the Board members.

In recognition of the many hours the members of the Heating and Cooling Board contribute to the City of Idaho Falls in conducting the many meetings necessary to the function of this Board, it was suggested by the Board, for your consideration, that the City waive the examination fees for members serving on this Board. This will not constitute any monetary outlay by the City.

Respectfully,
s/ Henry C. Isenhart
Secretary

s/ Ray Browning
Building Official

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After some discussion, it was moved by Councilman Nelson, seconded by Parish, that the request be denied on the grounds that this would be precedent setting, in view of the many other citizens who donate of their time on committees pertaining to City business. Roll call as follows: Ayes, 6; No, None; carried.

The Mayor appointed Mr. Robert Pollock to the position of Acting Chief of Police, to act in that capacity in the absence of the Chief of Police. It was moved by Councilman Freeman, seconded by Leahy, that this appointment be confirmed. Roll call as follows: Ayes, 6; No, None; carried.

This memo was read by the City Clerk and the Mayor appointed Mr. Baker and Mr. Aicher accordingly.

February 27, 1964

To the Honorable Mayor and City Council
Idaho Falls, Idaho

RE: Replacement of Mr. Lowell Harrop on the Heating and Cooling
Board and the Refrigeration Examining Board

Gentlemen:

I would like to submit for your consideration, the name of Mr. Darrell Baker to replace Mr. Harrop on the Heating and Cooling Board, and the name of Mr. Arthur M. Aicher to replace Mr. Harrop on the Refrigeration Examining Board.

These men have been contacted and have agreed to serve in the respective capacities. Both of these men are qualified electors of the City.

Respectfully submitted,
s/ Ray Browning
Building Official

It was moved by Councilman Page, seconded by Nelson, that these replacement appointments be confirmed. Roll call as follows: Ayes, 6; No, None; carried.

The Mayor made the following appointments to the Electrical Board:

Mr. Bob Bauchman	4 years
Mr. Al Bidstrup	4 years
Mr. Lional Wold, Jr.	2 years
Mr. Clarence Shore, Jr.	2 years
Mr. Brent Davis	3 years
Mr. Harry Carlson	Permanent

It was moved by Councilman Leahy, seconded by Freeman, that these appointments be confirmed. Roll as follows: Ayes, 6; No, None; carried.

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The City Attorney presented the following legal opinion with regard to the Arrington contract on Wells #9 and #10.

Law Offices of
ALBAUGH, BLOEM, SMITH, AND PIKE
February 28, 1964

S. Eddie Pedersen, Mayor
City of Idaho Falls
City Hall
Idaho Falls, Idaho

Re: Wells 9 and 10
Arrington Contract

Dear Mayor Pedersen:

You will recall that recently while I was in your office you and Mr. Parish assigned to me the duty of investigating the facts surrounding the Arrington contract and specifically the basis for the City withholding \$3800.00, and has intimated that it will take such measures as will be necessary to attempt to collect the same if an agreeable settlement is not worked out.

It has been a little difficult to get a complete evaluation of this contract and its performance, including agreements entered into between the contractor and Cornell, Howland, Hayes & Merryfield. I have discussed the matter with Mr. Arrington, with the City Engineer, and with the consulting engineers in Boise by telephone. I do not, therefore, represent that this report is complete or in all respects in accordance with all specific details. This report only represents in a general way my impression of the cardinal facts surrounding the transaction.

Apparently the Arrington Construction Company did not obtain a satisfactory result on their concrete work. After discussion between the contractor and the consulting engineers the construction company was advised "a high quality rubbed finish will be considered to be an acceptable alternate, subject to the qualifications outline below". The qualifications are set forth in detail. Arrington contends that he then performed the alternate procedures pursuant to the instructions of the consultants. The consultants do not seem to contend that this is not so, except they contend that the alternate performance is worth \$500.00 less to the City than the original specified performance would have been. Mr. Arrington seems to be agreeable to the City's retention of the \$500.00 in this particular, purely as a settlement of the disputed claim.

The City also retained \$1200.00 as liquidated damages for late performance on the part of the contractor. That the performance is late is now denied by Arrington, but he contends that no detriment resulted to the City there from by reason of the fact the two wells did not go into operation for other reasons for many months after he completed the performance. He also

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contends that the cause of the delay was the fault of the consulting engineers. The consulting engineers merely agree that a legal resolution of this contention would be very complicated. They believe this \$1200.00 of the contract amount to be held for five years to be returned to Arrington if no complications and expense arose relative to the concrete work, but would be used by the City if repairs were necessary to the structure during that period. Mr. Arrington contends that this retention is unwarranted in view of the fact that his bond for performance protects the City for the first year and in view of the fact that his reputation with the City for many years establishes that he is solvent and able to respond in damages in the event of any loss in connection with this project.

It is my recommendation that this matter be brought to the attention of the Council with a view to settling the problem amicably. Resolution of these problems through the courts would be difficult and somewhat prolonged. It is my opinion that the City Council has full authority to at this time decide whether it wishes to make payment to the Arrington Construction Company. It would seem to me that a reasonable settlement of the matter would be to retain the \$500.00 for failure on the part of Arrington to perform the concrete work in compliance with the specifications. If the structure as delivered to the City is acceptable otherwise, it would seem equitable that the balance of the money be paid to the contractor. This decision of course is one for the Council to make and any payment must be authorized by the Council.

Sincerely,
s/ A. L. Smith
of Albaugh, Bloem, Smith, & Pike
CITY ATTORNEYS

cc: Dale Parish, Councilman
City Hall
Idaho Falls, Idaho

Councilman Leahy explained the background on the problem. It was noted that the City had withheld \$3800 from full payment, \$2100.00 which was represented, in the opinion of the City, by poor workmanship, \$1200.00 in liquidating damages and \$500.00 due to a different type finish. The City Attorney said investigation revealed that the Consulting Engineer alleged that the contractor was at fault and visa versa. He said he was prepared to defend the City in the event of suit but that this type of litigation would prove long and tedious. It was moved by Councilman Nelson, seconded by Page, that authorization be granted to remit \$3300.00 of the total amount withheld with the understanding that the City Attorney negotiate with Mr. Arrington as a means of obtaining a warranty from him with regard to the workmanship. Roll call as follows: Ayes, 6; No, None; carried.

Also from the City Attorney, this legal opinion was presented, covering a pending civil suit which at this time involves the L.D.S. Church and the City, among others, and has to do with the lighting of the L.D.S. recreational facility on First Street:

Law Offices of
ALBAUGH, BLOEM, SMITH & PIKE

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March 5, 1964

S. EDDIE PEDERSEN, MAYOR
AND CITY COUNCIL of the
City of Idaho Falls, Idaho

RE: CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS
vs. CITY OF IDAHO FALLS & FORMER OFFICIALS vs.
ASHTON AND BERRY – CIVIL NO. 13,304

Gentlemen:

The above action is pending in the District Court for Bonneville County. It had been necessary for this office to review the issues in the case in light of the facts now existing, including the fact that most of the City's officials who are parties to the action are no longer in office. I anticipate it is necessary that the City Council now decide what position the City of Idaho Falls wishes to take relative to the issues.

In this communication I shall not attempt to set forth the multitude of minor issues presented by the action. I shall be happy to give the Council in session a verbal outline of these various ramifications.

The Church bought property on First Street a few years ago. In connection with its contemplated construction it laid out a play area, including two soft ball diamonds. It intended to have a recreation program in connection with its Church program in this area. The Zoning Ordinance then in effect permitted the establishment of a "Church" in an R-1 area. Apparently the Building Official of Idaho Falls was appraised of the contemplated recreation program at the site and authorized, either in writing or verbally, such use of the land in its entirety. The City of Idaho Falls actually assisted in the erection of night lighting facilities, including installation of poles.

When the recreation program went into operation, certain private owners protested the activities. Following the protests, the City of Idaho Falls discontinued the furnishing of electricity to the property and shortly thereafter considered the change in zoning regulations to forbid the establishment of parks in an R-1 zone, except public parks.

The Church sued the City asking for an injunction enjoining the City Officials from interfering with the use of the land for recreational purposes, and for an order requiring the City to restore electrical service to the area. The City answered the complaint alleging that the area as used is a nuisance and in violation of the City Ordinance. Adjoining landowners then intervened in the action seeking to abate the public nuisance and to prevent the Church from using the area for its intended purpose.

There is a confused issue in the case relative to the Zoning Ordinance and its interpretation. It seems to be exceedingly important to the Church to establish at least, that it

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may conduct recreational activities in conjunction with its other Church activities in a residential zone. Accordingly, a constitutional question is raised as to the validity of the Ordinance, and of course, a question is presented whether the Church's use of the land is non-conforming use existing prior to the amendment. This litigation will be prolonged and complicated if the action proceeds, in view of the fact that the zoning law is again under consideration for amendment it seems, to this writer, that the resolution of the zoning question is not worthwhile. There will probably be many legal questions presented in the future concerning the new proposed zoning law, and the future questions may be worthy of litigation.

The merits of this case could be fully determined and the rights of the parties protected if the City of Idaho Falls should be dismissed from the action, and if the private property owners should then present the question of "nuisance" to the district judge. The judge could determine whether the nuisance exists on the part of the Church just as well without the City being a party to the action. City Officials, of course, could still be witnesses in the case.

The Church has proposed to settle this conflict as far as the City is concerned by agreeing to turn its lights off by 9:45 P.M. at all times, if the City will restore the electrical service. The Church agrees to dismiss the action against the City if this arrangement is worked out. The Church then understands that the private property owners will be continuing with their action against the Church to determine whether a nuisance in law actually exists.

This office recommends to the Council that it consider seriously this proposal to the end that the litigation against the City be terminated. Council action would be necessary at this time to terminate this litigation.

Sincerely,
s/ A. L. Smith
Albaugh, Bloem, Smith & Pike
CITY ATTORNEYS

The City Attorney drew attention to the fact that the Church has agreed to turn the lights off at 9:45 P.M. and that the City would be in a position to withdraw if they were to agree to this arrangement and restore electrical service. He pointed out further that the Church would argue that the City, on the one hand, encourages recreation areas but is objecting to this one because of a technicality. Mr. Smith said the new Zoning Ordinance might provide proper relief and so, by general Council agreement, this matter was temporarily tabled.

Councilman Keller reported on the Hughes Imperial Addition informal hearing relative to the creation of Local Improvement District to correct the storm sewage in that area. He said the residents favored same. It was moved by Councilman Keller, seconded by Nelson, that this district be created, that the City Attorney be authorized to prepare the Notice of Intention to create the district, that the City Clerk be authorized to publish and that the first formal hearing, as required by law, be scheduled for March 26th, 1964. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Keller then read this memo:

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

Gentlemen:

It is recommended to you that the Engineering Department be authorized to proceed with the following projects:

1. Negotiation of a contract with the Mark Hurd Company of Goleta, California to provide aerial photography for the 30 square mile area for which horizontal control is being established. The cost for this service would be \$2,063.50. The 30 square mile area does not include the 450 acres Sand Creek Park. The Park, however, would be included in this contract at the request of the Parks & Recreation Division. This contract would provide the City with the following:
 - a. One (1) set of 9" x 9" stereo coverage photographs on double matte semi-gloss paper and a photo index.
 - b. One (1) set of screened cronaflex film positives each covering $\frac{1}{4}$ section, scale 1"=100' and ties into our horizontal control net of second order accuracy. These cronaflex film positives will enable us to make prints of these $\frac{1}{4}$ sections on our own printing machine. Some of the proposed uses for these photo prints are as follows:
 - (1) Location of power poles, buildings, etc. by the Electric Light Department without field investigation.
 - (2) Preliminary traffic and street planning.
 - (3) Storm drainage, study, line location and alignment.
 - (4) Preliminary design of sewer and water lines.
 - (5) Eliminating of preliminary topography concerning most planning.
 - (6) City Council, Chamber of Commerce, and Planning Commission.
 - (7) Presentation and discussion with the public.
 - (8) Police Department and Fire Department for use in their Departmental work.

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We feel that a considerable revenue can be returned to the City through the sale of these prints to interested parties such as consultants, developers and other individuals in the City.

2. Rental of a geodimeter from the Servco Company, Inc., Costa Mesa, California, for utilization in the completion of the City horizontal control net. The rental price on this equipment is \$633.00 per month and we anticipate using the instrument for a period of approximately six (6) weeks. For proper work scheduling, the geodimeter should be in our hands no later than April 15, 1964. The Servco Company has requested that we give them a minimum of 30 days advance notice, or they cannot guarantee a delivery date.

The dates for the aerial flight contract and geodimeter work have been established in order to best coordinate the survey work contemplated this spring. It will be our object to complete the horizontal control net and the flying in order to provide the above discussed photographs by early this summer. In that the majority of the Engineering work involved will be accomplished by Mr. Martin E. Portmann, whose services will terminate between May 15th and May 30th, 1964, it is desirable that we get underway on these projects as soon as possible.

Funds to provide for the above work are budgeted under item 4422.34 of the Engineering budget. This item presently contains \$4000. The expenditure of \$2,063.50 for the flight work and approximately \$1,100 for the geodimeter work will leave approximately \$900. This remaining monies would be used for the mathematical computations required to complete our survey control net.

We anticipate some necessary overtime for the completion of the above work. The exact amount of overtime cannot be determined at this time, but we assure you that it will be held to a minimum and that the work will be completed in the most efficient and practicable way.

Respectfully submitted,
s/ Donald F. Lloyd, P.E.
Director of Public Works

s/ Dale Berrett
Design Engineer

Councilman Page enlarged upon the foregoing proposition and urged that the Sand Creek Park be also included. In this connection the following memo was presented:

MEMORANDUM

TO: Ernie Craner
Parks and Recreation

MARCH 9, 1964

The Engineering Department is contemplating a contract with Mark Hurd Aerial Surveys to provide photographs for the City. It will be necessary to initiate this contract in the near future for actual flight to be accomplished in April. During preliminary investigating for this contract, we have obtained price quotations for the aerial photography and topography mapping of the Sand Creek Park. We felt this desirable in anticipation of a request from you to provide aerial photographs and complete topographic maps for your immediate and long range planning.

We would like to recommend to you at this time that you forward a work request to the Engineering Department for the items listed below:

1. Complete stereo coverage of the Sand Creek Park area. This item includes one (1) set of 9 "x" contract scale prints of approximate scale 1"= 400" and a photo index. **\$35.00**
2. One (1) complete set of cronaflex film positives at contact scale each covering ¼ section. **\$ 4.00**
3. One (1) complete set of screened cronaflex film positives covering ¼ section each. Scale 1"=100' and compiled to fit second order vertical and horizontal control established by the Engineering Department. **\$38.00**
4. One (1) complete topographical map compiled by Kelsh Plotter methods at a scale 1"= 100' with a 2' contour interval. This map to meet all standard map accuracy. Final completion of this map to be on a film positive which will enable printing an many copies of any section of the park area as needed. **\$1,750.00**

In order to compile the topographical map necessary in item 4 above, the Engineering Department must establish supplemental control points, thus giving the aerial firm necessary control with which to topographically map this area. The points needed for this type of control will be picked by the aerial contractor and the positions and elevations of these prints will be furnished by the Engineering Department. **\$400.00**

The price of \$400.00 will include field checking for vertical and horizontal accuracy and field completion of the final compiled manuscript.

In order to insure that the flying is accomplished at the best possible time this spring, it will be necessary for you to advise us as soon as possible as to desires concerning the above items.

Very truly yours,
s/ Dale Berrett
ENGINEERING DEPARTMENT
Design Engineer

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Recognizing that this latter project is not a budgeted item the Councilman inquired as to the value of aerial photography without the geodimeter work. Martin Portman from the Engineering Department appeared and confirmed the fact that this would be of value and if this were agreeable, the only preliminary work on the part of the Engineering Department would be that of establishing control points. It was moved by Councilman Nelson, seconded by Keller, that the aerial photography project be approved, including the first three items, only, of the foregoing memorandum pertaining to the Sand Creek Area. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Page recognizing that no actual development work would be materializing on the Sand Creek Park this season, moved that the Controller be authorized to lease the farm land under the usual terms, satisfactory to the City. The motion was seconded by Freeman. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Keller referred to two proposals for the development of the Johns Hole interchange as presented by Ethan Axtmann, said presentation of which can be found on Page 523 in this Book of Minutes. It was moved by Councilman Keller, seconded by Page, that the Mayor and City Council go on record as favoring the first proposal (Proposal A) and that the State Highway Department be notified accordingly as a basis for the preparation of an agreement outlining specific terms and conditions. Roll call as follows: Ayes, 6; No, None; carried.

Councilman Freeman reviewed the insurance proposal as originally presented by Mr. Eldon Harker at a Council Meeting dated January 9th, 1964. He pointed out that the existing program, providing \$1000 life insurance for each full time employee, costs the City \$9456 and that this could be doubled at a cost of \$11064 which would provide certain additional optional benefits. The Council, after some discussion, went on record as favoring the increased coverage but agreed that this should be tabled for further study and later in the year when finances and other employee needs can better be known and analyzed.

With reference to the existing insurance coverage it was moved by Councilman Freeman, seconded by Nelson, that this program be continued. Roll call as follows: Ayes, 6; No, None; carried.

This memo from the Acting Chief of Police was presented through Councilman Freeman:

March 9, 1964
RPD-9-64

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: FIFTH ADVANCED SESSION OF THE IDAHO LAW ENFORCEMENT
ACADEMY, MARCH 16 THROUGH 21, 1964.

Request authorization to send two and possibly three officers to the Idaho State University at Pocatello, Idaho, to attend the Fifth Advanced Session (Assaults-Sex Crimes School) of the Idaho Law Enforcement Academy, March 16 through March 21, 1964.

Special rates at motels adjacent to the campus have been provided so each officer would not exceed \$75.00 for the week.

MARCH 9, 1964

We have been advised that Patrolman George Morrall and Sergeant Bill Burgess have been accepted to attend this session.

The quota for the class is filled, but in the event of a drop out Patrolman, Neahl Johnson has been named first alternate so our desire is to hold him on a stand by basis.

Your early consideration of this request would be appreciated.

Respectfully submitted,
s/ Robert D. Pollock
Acting Chief

It was moved by Councilman Page, seconded by Keller, that the request as recommended, be approved. Roll call as follows: Ayes, 6; No, None; carried.

This memo was then read by Councilman Freeman:

March 9, 1964
RDP-10-64

TO: Honorable Mayor and City Council, City of Idaho Falls
SUBJECT: TRAVEL AUTHORIZATION

Request authorization to send Captain A. Lowelll Cramer and Sergeant Lewis Nielsen to Boise, Idaho, March 12, 1964, by City vehicle for the purpose of Captain Cramer attending a Board of Directors meeting of the Idaho Peace Officers Association on the afternoon of 12 March. Both Captain Cramer and Sergeant Nielsen will then attend the First Annual CIVILIAN-MILITARY TRAFFIC SAFETY WORKSHOP, 8:30 A.M. to 4:00 P.M., March 13, 1964, and return to Idaho Falls. Cost is estimated at \$50.00.

Your early consideration of this request would be appreciated.

Respectfully submitted,
s/ Robert D. Pollock
Captain, Acting Chief

It was moved by Councilman Leahy, seconded by Parish, that the request be granted. Roll call as follows: Ayes, 6; No, None; carried.

The final plat of the Kugler Addition, Division #1 was presented by David Benton, local Engineer and Ethan Axtmann, Design Engineer. It was moved by Councilman Parish, seconded by Page, that the plat be approved, subject to final checking by the Engineering Department. Roll call as follows: Ayes, 6; No, None; carried.

The same gentlemen then presented the final plat of the Jossie Hughes Addition, Division #1. It was moved by Councilman Parish, seconded by Leahy, that the plat be approved subject to final checking by the Engineering Department. Roll call as follows: Ayes, 6; No, None; carried.

MARCH 9, 1964

Councilman Leahy presented Electrical Engineer design study proposals from Cornell, Howland, Hayes and Merryfield and Arotic Engineering Company and also a proposal from Westinghouse Electric Corporation which would evaluate alternative distribution system evaluation plans. The Mayor reported that he had, this day, received an application from an individual who claimed, in said application, to be qualified, not only as an Electrical Engineer, but also to perform Consulting Engineering services for the City. Councilman Parish, noting that Cornell, Howland, Hayes and Merryfield had previously provided a study resulting in a recommendation that the system be converted to 20.8 KV voltage, said that, in his opinion, it would be unwise to utilize the services of this same firm for a proposal which would recommend something different. Councilman Leahy drew attention to their proposal which outlined, in detail, the services they intend to perform, as follows:

1. Formulate the most advantageous plan for developing a 7.2/12.47 KV system in the City, making maximum use of the present facilities.
2. Prepare preliminary recommendations for location of the necessary substations based on the same present and projected future loads developed in our original report.
3. Prepare a detailed summary of improvements necessary through the years to develop a 7.2/12.47 KV system capable of handling a 90,000 kilowatt load (approximately 1981) based on the plan formulated in item 1, above.
4. Estimate the cost of the necessary system improvements listed in item 3, above through the time when the system load reaches 50,000 kilowatts (approximately 1971).
5. Prepare a detailed summary of the advantages and disadvantages of developing the City electrical distribution system at a voltage of 7.2/12.47 KV as compared to a 12/20.8 KV system.
6. Present the findings of this investigation in person to the Mayor and City Council in a bound report, complete with maps, charts, cost analyses, and other supporting data.

Councilman Leahy agreed to ascertain from Arotec and Westinghouse, whether or not the City could expect similar services.

During the lengthy discussion, the Council welcomed certain voluntary comments, opinions, and recommendations from Professional Engineer David Benton and Design Engineer Ethan Axtmann.

It was generally agreed that there would be nothing detrimental against a 12.47 KV system except more unknowns, such as transformer location, which would have to be resolved.

Councilman Leahy reported that representatives from a consulting engineering firm from Billings, Montana would be in the City Thursday, March 12th and it was agreed that, in the interim period, a decision on the problem be tabled.

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

MARCH 9, 1964

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
