

MAY 6, 1982

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, May 6, 1982, in the Council Chamber in Idaho Falls, Idaho. There were present at said Meeting: Mayor Thomas Campbell; Councilmen Ralph Wood, Art Chandler, Mel Erickson, Wes Deist, Paul Hovey, and Sam Sakaguchi. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney, and all available Division Directors.

Minutes of the last Regular Meeting held on April 22nd and Special Meetings held April 27th and 30th, 1982 were read and approved as amended.

From the Airport Manager came this memo:

City of Idaho Falls
May 6, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: LEASE FOR CONSTRUCTION OF PRIVATE HANGARS

The City has received a signed agreement for leasing a portion of Lot 11 in the Airport General Aviation Hangar Area.

Three individuals, Mr. Roger Cox, Mr. Jack Draney, and Mr. Eddie Woolstenhulme are requesting a ground lease in order to construct, at their expense, two hangar buildings to store their privately owned aircraft. No expenditures by the City are required. Rental fees are commensurate with fees charged other private hangar owners.

The City Attorney has reviewed the proposed agreement.

The Airport Committee recommends that the Mayor and Clerk be authorized to execute this agreement.

s/ James Thorsen

Councilman Hovey stated that this is a standard airport lease which had been reviewed by the City Attorney. He said that the lease provides for an income based on the rate of inflation and it is, basically the same type as other leases that are currently in effect in the Airport Industrial Park and other parts of the Airport. It was then moved by Councilman Hovey that the Mayor and City Clerk be authorized to sign this agreement. Councilman Sakaguchi stated that the Planning and Public Works Departments have reviewed this agreement and are in concurrence and agreement with the Airport Committee. Councilman Sakaguchi then seconded the motion made by Councilman Hovey. Attorney Storer added that the lease is a twenty year term lease with a renewable option for an additional ten years. He said that the lease also contains an option to lease additional ground which must be exercised within one year, and, if exercised, would be at the same rate the current lease provides. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the Airport Manager came this memo:

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City of Idaho Falls
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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Airport Committee
SUBJECT: PARKING LOT RATE ADJUSTMENT

Periodically, it is necessary to adjust the parking lot rates to compensate for the effects of inflation.

The last rate change was in 1979, over 30 months ago. The fees collected from the users of the lot pay for the operation and maintenance of the lot, and the debt service on the revenue bonds issued to build the facilities.

The Airport Committee recommends that the following rates be in effect as of May 23, 1982.

Short Term Lot - \$.45 per hour; \$5.00 maximum all day.

Long Term Lot - \$1.00 for first 3 hours; \$3.50 maximum daily rate. The weekly maximum will be \$17.50.

s/ James Thorsen

Councilman Hovey stated that the last rate increase at the Airport was made over thirty months ago and, because of inflation cuts, this proposal had been reviewed very carefully by the Airport Committee who made comparisons with other Cities' rates in the State of Idaho. He said that these new rate increases were certainly in keeping with what other airports are doing. It was moved by Councilman Hovey, seconded by Sakaguchi, that the City Council approve this change in rates as proposed by the Parking Company and recommended by the Airport Committee. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Personnel Director was then presented and read:

City of Idaho Falls
May 4, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Personnel Director
SUBJECT: RATIFICATION OF I.B.E.W. SETTLEMENT

On April 30, 1982, the Mayor and Council instructed the Personnel Director and Electric Light Manager to make a wage and benefit offer to I.B.E.W. Local #57 and enter into a new working agreement based on that offer.

It is requested that this action be formally approved and ratified by the Mayor and Council for Electric Light Division employees, excepting the Electric Light Manager and Secretary.

s/ Craig Lords

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Councilman Chandler reviewed the settlement. It was moved by Councilman Chandler, seconded by Erickson, that the Council ratify the previous action taken on the I.B.E.W. settlement. Mayor Campbell pointed out that the difference between 6.86 and 9.80 does not buy anything new for the electrical workers, it simply reflects the City's costs for insurance. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of April, 1982 were read, as follows:

	<u>GENERAL</u>	<u>STREET</u>	<u>AIRPORT</u>	<u>WATER/SEWER</u>
MAT/SERV	\$ 571,551.03	\$ 38,466.54	\$ 38,571.14	\$ 325,946.48
SALARY	<u>407,376.66</u>	<u>23,683.20</u>	<u>12,891.83</u>	<u>56,403.56</u>
TOTALS	\$ 978,927.69	\$ 62,149.74	\$ 51,462.97	\$ 382,350.04

	<u>ELECTRIC</u>	<u>SANITATION</u>	<u>RECREATION</u>	<u>SAN/SEW CAP</u>
MAT/SERV	\$1,322,118.35	\$ 18,793.68	\$ 7,084.53	\$ 219,838.88
SALARY	<u>91,957.01</u>	<u>27,949.76</u>	<u>9,046.45</u>	<u>.00</u>
TOTALS	\$1,414,075.36	\$ 46,743.44	\$ 16,130.98	\$ 219,838.88

	<u>MUN CAP IMPR</u>	<u>LIBRARY</u>	<u>BRIDGE/ART ST</u>	<u>REV SHAR</u>
MAT/SERV	\$ 82,599.52	\$ 5,623.69	\$ 4,080.00	\$ 90.27
SALARY	<u>.00</u>	<u>20,626.96</u>	<u>.00</u>	<u>.00</u>
TOTAL	\$ 82,599.52	\$ 26,250.65	\$ 4,080.00	\$ 90.27

CITY TOTALS

MAT/SERV	\$2,634,764.11
SALARY	<u>649,935.43</u>
TOTAL	\$3,284,699.54

Councilman Chandler reviewed all major expenditures. There being no questions nor objections, it was moved by Councilman Chandler, seconded by Erickson, that the bills, as listed, be authorized for payment. Roll call as follows: Ayes, 6; No, none; carried.

Monthly reports from Division and Department Heads were presented and, there being no questions nor objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT, Mr. E's Sweet Treat Cookery; MOBILE RESTAURANT, N. Kleiber; CONCESSION, Sno-mobile Enterprises; SECOND HAND STORE, Second Choice; AUCTIONEER, William S. Powell; FIREWORKS, Senior Citizens Community Center; ELECTRICAL CONTRACTOR, Dale's Heating and Electric, Merkley Electric, Lynn Walker Sign Company, Twins Electric, Sign Arts; JOURNEYMAN ELECTRICIAN, Hal Merkley, Dale E. Smith, Roger W. Dye, Richard Judy; APPRENTICE ELECTRICIAN, Bob Hansen with Dale's Heating and Electric; JOURNEYMAN PLUMBER, Donnie A. Olson; APPRENTICE PLUMBER, Brandon Olson with Ammon Plumbing Service; SIGN COMPANY, Lynn Walker Sign Company; BARTENDER, Ramona Bensen, Ronald E. Kelly, Martha Russell, Sharron Lewis, Charlotte Rhodes; BEER (TO BE CONSUMED ON THE PREMISES), Edelweiss, Lindo Michoacan; BEER (NOT TO BE CONSUMED ON THE PREMISES), 17th Street Fastway; PUBLIC RIGHT OF WAY, Haddon's Fencing, Inc.; WINE BY THE DRINK, Edelweiss, were presented. It was moved by Councilman Erickson, seconded by Wood, that these licenses be

issued subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 6; No, none; carried.

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The City Clerk asked for Council ratification of the publishing of a legal notice calling for a public hearing on May 20 to consider the zoning of J. Earl West Addition and portion of Woodruff Avenue. It was moved by Councilman Wood, seconded by Deist, that this action of the City Clerk be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the City Clerk was then read:

City of Idaho Falls
April 29, 1982

MEMORANDUM

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

Gentlemen:

The Police Department had advised me that a sufficient amount of unclaimed and impounded merchandise has accumulated to warrant an auction sale.

We ask authorization on the following items:

Conducting of a sale on Saturday, May 15, 1982.

Retain Bill Powell to act as auctioneer.

s/ Velma Chandler

It was moved by Councilman Erickson, seconded by Wood, that authorization be given as requested. Roll call as follows: Ayes, 6; No, none; carried.

From the Electrical Engineer came this memo:

City of Idaho Falls
April 26, 1982

MEMORANDUM

TO: Mayor Campbell
FROM: Steve Harrison, Manager
SUBJECT: LEGAL SERVICES FOR GEM STATE LICENSE APPLICATION

Attached is a copy of a proposal for legal services from a law firm in Washington D.C.

Phil Holm has recommended that the City retain legal counsel to follow the Gem State application through the FERC process.

The firm estimates total cost to be approximately \$2,500 and they will not exceed that amount without Council authorization. Art Smith has reviewed the document and suggests that the Council consider the proposal.

s/ Steve Harrison

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Councilman Hovey explained that the firm known as Van Ness, Feldman, Sutcliffe, Curtis & Levenberg is a legal firm in Washington D. C. and this firm will follow the progress of the FERC licensing for the Gem State Project through its conclusion. It was moved by Councilman Hovey, seconded by Wood, that the Mayor be authorized to sign this agreement with the said law firm. Roll call as follows: Ayes, 6; No, none; carried.

From the City Controller came this memo:

City of Idaho Falls
May 6, 1982

MEMORANDUM

TO: Mayor Thomas Campbell and City Council
FROM: John D. Evans, City Controller
SUBJECT: PROPOSAL TO AUDIT FINANCIAL STATEMENTS
GALUSHA, HIGGINS & GALUSHA

The Fiscal Committee is requesting approval by the Council to accept the attached proposal submitted by the firm Galusha, Higgins & Galusha to perform the examination and audit of the financial statements of the City of Idaho Falls for the fiscal year ended September 30, 1982. The proposal does not include a complete audit of the Electric Light Fund as it is audited by another firm. An excellent job was done last year by this firm.

We recommend that the proposal be signed by the Mayor and City Clerk and a copy of the executed proposal be sent to Galusha, Higgins and Galusha.

s/ John D. Evans

It was moved by Councilman Chandler, seconded by Erickson, that the Council give authorization for this proposal and for the Mayor and City Clerk to sign. Roll call as follows: Ayes, 6; No, none; carried.

From the General Services Director came this memo:

City of Idaho Falls
May 4, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-17, CAB AND CHASSIS

Attached is a tabulation of bids for a cab and chassis for a sewer flusher body. It is the recommendation of the General Services Division that the City Council accept the low bid of Smith Chevrolet to furnish one (1) cab and chassis without trade for \$13,479.00 plus freight of \$599.00 to Jonesboro, Arkansas.

s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that this bid be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

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Next, from the General Services Director, came this memo:

City of Idaho Falls
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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-16, OUTDOOR OIL CIRCUIT BREAKERS

Attached is a tabulation of bids for five (5) outdoor oil circuit breakers. It is the recommendation of the General Services and Electrical Divisions that the City Council accept the low total bid of Siemens Allis Inc. in care of Alles & Associates for \$71,280.00.

s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the low bid of Siemens Allis, Inc. be accepted in the amount of \$71,280.00. Roll call as follows: Ayes, 6; No, none; carried.

Next, from the General Services Director came this memo:

City of Idaho Falls
May 29, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-15, STREET SWEEPER

Attached is a tabulation of bids for a 1982 Model Street Sweeper. It is the recommendation of the Public Works and General Services Division that the City Council accept the low bid with trade of Arrowhead Machinery at \$51,700.00.

s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the low bid of Arrowhead Machinery be accepted for \$51,700.00 with trade. Roll call as follows: Ayes, 6; No, none; carried.

Still, from the General Services Director came this memo:

City of Idaho Falls
May 4, 1982

MEMORANDUM

TO: Honorable Mayor and City Council

FROM: Chad Stanger
SUBJECT: AIRPORT FARM LEASE - MAX FULLMER

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Attached is a proposed lease agreement between the City of Idaho Falls and Max Fullmer for City owned land located within the boundaries of the Idaho Falls Municipal Airport. The proposed lease area has some agricultural value but is restricted by access, irrigation water availability and FAA regulations because the parcels of property are located between and around runways.

The proposed agreement states that Mr. Fullmer will cultivate and maintain these areas at his expense for a period of five (5) years with payment to the City to be in the form of a share of the crops grown. The Airport Committee, City Attorney, and Property Management have approved the terms of this lease and it is the recommendation of the General Services Division that the City Council approve and authorize the Mayor and City Clerk to sign the appropriate documents.

s/ Chad Stanger

Councilman Chandler stated that Mr. Fullmer leased the property last year and he has agreed to attempt to upgrade the land and increase crops. It was moved by Councilman Chandler, seconded by Hovey, that the Council approve this lease and authorize the Mayor and City Clerk to sign the appropriate documents. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Traffic Safety Committee was then read:

City of Idaho Falls
May 4, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Pollock
SUBJECT: PARKING RECOMMENDATIONS

1. EG&G has requested two (2) Loading-Unloading zones on the north side of Sawtelle to the west of the west crosswalk between the computer buildings. (This is to alleviate the need of double parking by Service Vehicles).
2. Parks & Recreation request two (2) Loading-Unloading zones, (only during the swimming season) on the west side of Corner Avenue to the south of the NO PARKING ZONE, which is immediately south of Elm Street. (This is to alleviate the double parking and traffic congestion).

s/ R.D. Pollock

Recommendation #1 was then reviewed. Councilman Erickson stated that this particular area is used only by service vehicles. He said that Police Chief Pollock has reviewed this with the affected persons and the Committee was recommending approval of this request. Therefore, it was moved by Councilman Erickson, seconded by Wood, that two loading-unloading zones be established on the north side of Sawtelle to the west of the west crosswalk between the computer buildings by EG&G. Roll call as follows: Ayes, 5; No, none;

carried. Councilman Hovey abstained on the grounds that his vote might be construed as a conflict of interest.

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Recommendation #2 was then reviewed. It was moved by Councilman Erickson, seconded by Wood, that the two loading zones be approved as recommended. Roll call as follows: Ayes, 6; No, none; carried.

City Attorney Storer presented the following captioned ordinance:

ORDINANCE NO. 1701

AN ORDINANCE VACATING PORTIONS OF CERTAIN STREETS WITHIN THE CITY OF IDAHO FALLS, IDAHO; PARTICULARLY DESCRIBING SAID PORTIONS OF STREETS; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER ON BEHALF OF SAID CITY A QUITCLAIM DEED CONVEYING SAID VACATED STREET TO THE OWNERS OF THE ADJACENT LAND, AND NAMING THEM; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Wood, seconded by Deist, 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.

The City Attorney asked the City Clerk to read this memo:

City of Idaho Falls
May 6, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: City Attorney
SUBJECT: LEGAL ACTION - WPPSS

Legal action has been commenced against the City of Idaho Falls and numerous other parties by 12 participants in the WPPSS project. The lawsuit was filed in Lewis County Superior court in Washington and seeks a declaration of the rights of all participants in the project.

Request is herewith made for the following:

1. Authorization for special counsel Art Smith to file an appearance in the action in behalf of the City.

2. Authorization to seek an order from the Court aligning the City as a plaintiff in the action.

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3. Authorization for Mr. Smith to attend such meetings or conferences with other participants or their attorneys as may be necessary to gather information or discuss the legal proceedings.

s/ Dale Storer

It was moved by Councilman Hovey, seconded by Wood, that authorization be given by the Council for the previously stated items of action on the part of the City's Legal Consultant, Mr. Arthur Smith. At the request of Mayor Campbell, City Attorney Storer explained, for the benefit of the news media, exactly what Attorney Smith is authorized to do. Mayor Campbell stated that the City has only spent \$3,900 for legal fees connected with WPPSS 4/5 to date.

Attorney Storer then asked the City Clerk to read this memo from the Public Works Director:

City of Idaho Falls
May 6, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: WATER DEPARTMENT FACILITIES

Water Department has long needed a new shop and office facility and have for the past 3 years, been searching for suitable land to build such a facility. We have also been looking at existing buildings and recently property with a building became available which fits the requirements of the Water Department. Public Works Committee had inspected the land and building and would recommend that the City Attorney be authorized to negotiate a possible lease option to purchase arrangement for Council review.

s/ Donald F. Lloyd

Mayor Campbell stated that he wanted it made clear that this was only a request for authorization to negotiate, and not authority to obtain a building. Councilman Hovey stated that, in his opinion, approval of this request would only authorize the Attorney to look at the possibilities of an option or lease and not give authorization to sign a lease. Mayor Campbell agreed that this was correct, the Attorney was only authorized to investigate methods in which the property could be purchased. There being no further questions or comment, it was moved by Councilman Sakaguchi, seconded by Deist, that the City Attorney be authorized to negotiate a possible lease option for Water Department facilities. 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 8:10 P.M., carried.

s/ Velma Chandler
CITY CLERK

s/ Thomas Campbell
MAYOR