

SEPTEMBER 23, 1982

The City Council of the City of Idaho Falls met in Regular Meeting, Thursday, September 23, 1982, in the Council Chamber in Idaho Falls, Idaho.

Prior to calling the Meeting to order, Mayor ProTem Erickson called upon Steven Briter to come forward and lead all those present in the Pledge of Allegiance to the Flag. Mayor ProTem Erickson then honored Eagle Scout Davie Kelley and congratulated him for this achievement. David then received a congratulatory handshake from all City Officials around the Council Table.

The Mayor then called the Meeting to order and, upon roll call, the following were found to be present: Mayor ProTem Mel Erickson; Absent: Mayor Tom Campbell; Present: Councilmen Art Chandler, Wes Deist, Paul Hovey, and Sam Sakaguchi. Absent: Councilman Ralph Wood. Also present: Velma Chandler, City Clerk; Dale Storer, City Attorney and all other available Division Directors.

Mayor ProTem Erickson excused Mayor Campbell as he was out of town on City business and Councilman Ralph Wood due to the fact that his mother was gravely ill.

Minutes of the last Regular Council Meeting held September 9, 1982, were read and approved.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider a request for a variance to locate a mobile dental clinic on a portion of the property now housing the Army Reserve Center on N. Skyline Drive, and called upon Councilman Deist to conduct the hearing. At the request of Councilman Deist, the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
September 21, 1982

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: VARIANCE REQUEST - MOBILE DENTAL CLINIC FOR NAVY

Attached is a copy of a request to locate a mobile dental clinic on a portion of the property now housing the Army Reserve Center on North Skyline Drive. The Army has granted their permission for such use on their property.

This Department recommends approval of the variance for one year or such time as a permanent structure can be completed. This matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

Councilman Deist then asked if there was anyone who wished to speak in favor of this request. No one appeared. Councilman Deist then asked if there was anyone who wished to speak in opposition of this request. No one appeared to speak. Deist then asked if any of the Councilmembers wished to comment on this request. Councilman Hovey asked if this request was the same one that had been presented about one year ago. Councilman Chandler answered that it was the same request, but for a different location. Councilman Deist asked the City Planner to comment concerning the precedent set by the Council in allowing variances of this type for only one year period. City Planner Gilchrist said that the

petitioners have indicated that they do want to look for permanent facilities but they have not given a time frame on this request. He said that, previously, the petitioners have

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indicated that it might take about three years before permanent facilities could be completed. Councilman Chandler stated that the petitioners are attempting to locate in a permanent location. Attorney Storer recommended that the variance be limited to a period of one year, primarily because there is some question in the law at this time as to whether or not a variance may be extended for a longer period than one year. It was moved by Councilman Deist, seconded by Chandler, that the variance be granted to the Naval Reserve Unit on N. Skyline Drive for a period of one year. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider a request for an extension of a variance permitting a mobile home to be used as a sales office for Crazy Corner Auto Sales and asked Councilman Deist to conduct the hearing. At the request of Councilman Deist the City Clerk read this explanatory memo from the City Planner:

City of Idaho Falls
September 21, 1982

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: REQUEST FOR VARIANCE EXTENSION - CRAZY CORNER
AUTO SALES

Attached is a copy of request for an extension of a variance permitting a mobile home to be used as a sales office. This request is being submitted by Crazy Corner Auto Sales, located at the northwest corner of Gladstone Street and Emerson Avenue. The variance is requesting a one-year extension of the variance.

This Department recommends the request be granted for a period not to exceed one year. This matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

There was no one to appear either for or against this proposal. Therefore, it was moved by Councilman Deist, seconded by Chandler, that the variance will not be extended again after that period of time. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk asked for formal Council approval of the forwarding of a damage claim, in the names of John Collette and Arthur Keller, to the City's Liability Insurance Carrier on September 10, without formal Council approval:

September 8, 1982

City of Idaho Falls
P. O. Box 220
Idaho Falls, Idaho 83401

Attention: Velma Chandler

Gentlemen:

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In July we were called by Mr. John Collette of 302 11th Street, Idaho Falls, to observe work done by the City Water Department in replacing a valve on his property and the damage inflicted on his sprinkler system by the crew. He informed me that the City Foreman had told him to have the repairs made and then bill the City. We proceeded to do that but after billing the City, Mr. Wayne Wolfe told me to submit the bill to the City as an insurance claim. Accordingly, the statement is enclosed. Original bill and copy of Work Order were sent to the Water Department.

We are also submitting the statement for work performed last winter and spring at the residence of Arthur Keller of 505 Dickson. In this case the system had been shut off and drained, but complete shut-off had not occurred because of foreign matter from the water main lodging in the valve and preventing tight closure. The City valve also could not be closed for the same reason, necessitating excavation by the Water Department.

I would appreciate your prompt attention to this matter. If you have any questions please call me.

s/ Martin B. Trillhaase

It was moved by Councilman Chandler, seconded by Hovey, that this action of the City Clerk be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk asked for Council authorization to forward a damage claim in the name of Brody G. Frearson to the City's Liability Insurance Carrier and the City Attorney:

NOTICE OF CLAIM UNDER IDAHO TORT CLAIMS ACT

TO: State of Idaho
Department of Transportation
c/o Pete T. Cenarrusa
Secretary of State
Statehouse
Boise, ID 83720

Ronald Longmore
Bonneville County Clerk
Bonneville Courthouse
Idaho Falls ID 86402

Velma Chandler
Clerk, City of Idaho Falls
308 "C" Street
Idaho Falls, ID 83402

RE: Tort Claim

Name of Claimant: Grant Frearson

Linda Frearson, and Brody G. Frearson, Minor
Child

SEPTEMBER 23, 1982

Date of Accident: June 18, 1982
Place of Accident: Intersection of Jameston and York Roads, Bonneville County, ID

Grant Frearson and Linda Frearson, as single individuals, residing with the minor child, Brody G. Frearson, at 117 Scoresby, Iona, Bonneville County, Idaho, hereby make this written claim and demand against the State Of Idaho, Department of Transportation, Bonneville County and the Bonneville County Highway District, and the City of Idaho Falls, pursuant to Idaho Code Sec. 6-901, et seq., and state and represent as follows:

I.

On June 18, 1982, at approximately 9:06 p.m., Daryl Ervin Yonke was operating a 1966 Oldsmobile Toronado which collided with a 1975 Chevrolet automobile driven by Duane Wilson Perkes at the intersection of Jameston and York Roads in Bonneville County, Idaho. A true and correct copy of the Officer's Report of Motor Vehicle Accident is attached hereto and made a part hereof by reference as Exhibit "A".

II.

Bonneville County and/or State of Idaho, Department of Transportation, were negligent in failing to properly post and mark said intersection with proper traffic control devices as required by law. Specifically, there was a failure to place an advanced warning stop sign on York Road in advance of the intersection. Also, Bonneville County and/or State of Idaho failed to adequately design, construct and maintain the intersection. Also, Bonneville County and/or State of Idaho failed to adequately design, construct and maintain the intersection free of visual obstructions, including trees and vegetation which obscured the view of vehicles approaching the intersection. Further, Bonneville County and/or State of Idaho failed to adequately post and mark said intersection by failing to place a stop sign at the crossing on Jameston Road, making a four-way stop.

III.

The City of Idaho Falls negligently constructed a KV 161 powerline immediately to the north of York Road which obstructs the view of drivers approaching the Jameston-York intersection from the east on York Road, making it difficult to observe the stop sign located on York Road at said intersection.

IV.

The collision and resulting damages suffered by claimants herein, including property damage and injuries to Monica Frearson resulting in her death, were proximately caused by the negligent and careless conduct of the above-named political subdivisions, who by their negligence, created a dangerous condition on the highway and intersection, which condition, combined with the negligence of Daryl Ervin Yonke, resulted in claimants incurring damages for personal injuries to Monica Frearson, resulting in her

death, as well as the loss of Monica Frearson's companionship and assistance to claimants.

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V.

The exact amount of the damage to claimants is unknown at this time. However, it is estimated the general damages will exceed \$350,000.00, and special damages will be approximately \$5,000.00.

VI.

All claimants herein are residents and citizens of Bonneville County, State of Idaho, at the present time and for six months preceding the collision between the vehicles on June 18, 1982, resided at the addresses identified in this Claim.

VII.

In addition to the persons set forth herein and in the attached officer's report, the names and addresses of persons involved in the accident, having pertinent information presently known to claimants, are as follows:

Gregory Clarence Bowman
100 East 21st Street
Idaho Falls, Idaho

Randy J. Summers
270 Crimson
Idaho Falls, Idaho

David Bates
Route 9, Box 14
Idaho Falls, Idaho

Robert Hruska
113 East 15th Street
Idaho Falls, Idaho

Steve Miller
330 Crimson
Idaho Falls, Idaho

WHEREFORE, Claimants respectfully submit their claims for damages arising from the death of Monica Frearson, together with medical expenses, and claims of a present unknown amount that may be brought as a result of the collision, together with all general and special damages as indicated herein.

DATED this 17th day of September, 1982.

s/ Grant Frearson
s/ Linda Frearson
s/ Hansen, Boyle, Beard
and Martin, Chartered
Attorneys for Claimants

It was moved by Councilman Chandler, seconded by Hovey, that the City Clerk be so authorized. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk asked for Council ratification of the publishing of legal notices calling for the two hearings held this night and one to be held on October 7th. It was moved

by Councilman Deist, seconded by Chandler, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

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The City Clerk requested authorization to publish a legal notice calling for a public hearing on October 7th to consider the granting of a variance to allow the use of a mobile home as a temporary branch bank. It was moved by Councilman Deist, seconded by Chandler, that the City Clerk be authorized to publish the notice as requested. Roll call as follows: Ayes, 5; No, none; carried.

License applications for ELECTRICAL CONTRACTOR, Rocky Shore with R & R Electric Company, Gil Kerbs with Kerbs Electric, Richard D. Anthony with Anthony Electrical; JOURNEYMAN ELECTRICIAN, Rocky Shore, Gil Kerbs, Richard D. Anthony; APPRENTICE ELECTRICIAN, Claude Walstrom with R & R Electric Company; MASTER PLUMBER, Steve L. Newton with Upper Valley Mechanical; JOURNEYMAN PLUMBER, Steven L. Newton; SIGN COMPANY, Image National, Signs, Inc.; BARTENDER, Joseph T. Ashworth, Jeani Allison, Toni Carlson, Nila M. Crew, Kebbie Foresee, Sharon Frazier, Connie Henderson, Kathy Peterson, Mike Price, Michelle Tucker; ITINERANT MERCHANT, Thomas Whitney with WMI; BEER (TBCOP), Remo's Restaurant; LIQUOR, Remo's Restaurant; PUBLIC RIGHT OF WAY, Das-Co, Inc., were presented. It was moved by Councilman Chandler, seconded by Deist, that these licenses be issued, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk reported that a restaurant license had been issued to Crane's Incredible Edibles with the approval of the Mayor, the Health Department and Chief Pollock, but without formal Council approval. It was moved by Councilman Chandler, seconded by Hovey, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Police Chief was then presented:

City of Idaho Falls
September 21, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Pollock
SUBJECT: LOADING-UNLOADING ZONE

It is recommended that a Loading-Unloading zone be installed on E. 13th Street immediately in front of the Community Resource Center, 187 E. 13th Street. (3 present parking spots).

They have sufficient room on their lot for their parking and have made the request due to such a narrow street there is no room for double parking. The neighbors immediately across the street have a problem backing out of their driveways when vehicles are parked there also.

s/ Chief Pollock

It was moved by Councilman Deist, seconded by Chandler, that this recommendation be approved. Roll call as follows: Ayes, 5; No, none; carried.

From the City Controller came this memo:

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City of Idaho Falls
September 23, 1982

MEMORANDUM

TO: Mayor Tom Campbell and City Council
FROM: John D. Evans, Controller
SUBJECT: 1982-83 FY BUDGET - TAX CERTIFICATION

This is to advise that in calculating the property taxes for the 1982-83 Fiscal Year Budget I have over estimated the taxes in the amount of \$85,758.00. Consequently, it may be necessary to make adjustments in the expenditures if other revenues do not off-set this shortfall. Amendment of the 1982-83 FY budget will not be necessary.

s/ John D. Evans

Councilman Chandler stated that this was just an advisory memo to bring this error to the attention of the Council. It was determined that no Council action was necessary on this matter.

This memo from the Electrical Engineer was then read:

City of Idaho Falls
September 22, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: REQUEST FOR RATIFICATION

The Electrical Division requests that the Council consider ratifying Mayor Thomas Campbell's execution of Amendatory Agreement No. 10 to the Bonneville Power Administration Energy Conservation Agreement. This amendment provides for participation in the weatherization program.

s/ Steve Harrison

It was moved by Councilman Chandler, seconded by Deist, that this action of the Mayor be duly ratified. Roll call as follows: Ayes, 4; No, one; carried. Councilman Hovey voting no. From the Electrical Engineer came this memo:

City of Idaho Falls
September 22, 1982

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: ELECTRIC RATE REVISIONS

Attached are copies of the proposed rates for Idaho Falls electric customers.

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Computer runs have verified that these rates will raise the necessary revenues to balance the 1982-1983 Electric Division Budget.

The Electric Division requests that the Council consider an ordinance adopting these rate schedules, effective October 1, 1982.

Steve Harrison

Councilman Hovey stated that the Councilmen had reviewed the need to increase the electric rates at a recent work session and, also the need to adopt an ordinance to set these increases. He reviewed the items covered in the work session stating that it would require approximately 36% increase in the electric rates to City electric customers to cover BPA's increase. He said that the question had been raised as to whether or not to increase the customer service fee which covers non-consumption items, to \$4.00 or to leave it at the present \$3.00 rate. He said, if the fee remained at \$3.00 the rate increase would be \$2.82 and if it was increased to \$4.00 there would need to be a \$2.75 electric rate charge. Hovey reviewed some of the fixed service costs involved in electrical billing. He said that a survey of other utilities in the Northwest was taken and it was learned that customer charges are common and that they range anywhere from \$4.50 on up. Councilman Hovey calculated the difference of cost to customers by the two proposed methods. Hovey pointed out that the method of increasing the service charge would isolate the costs that are on-meter rate related and build a base which would not change regardless of the consumption. Councilman Hovey said that, in his opinion, this method would not be a burden on the low user. After some discussion the following captioned ordinance was presented:

ORDINANCE NO.

AN ORDINANCE ESTABLISHING AND FIXING A REVISED SCHEDULE OF RATES TO BE CHARGED CUSTOMERS OF THE IDAHO FALLS MUNICIPAL LIGHT AND POWER PLANT AND DISTRIBUTION SYSTEM; REPEALING SECTION 4-4-10, OF THE CITY CODE, THE SAME CONSTITUTING THE EXISTING SCHEDULE OF RATES FOR ELECTRIC SERVICE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing ordinance was presented in title. It was moved by Councilman Hovey, seconded by Sakaguchi, 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 and the Council adopt the ordinance that would increase the service rate from \$3.00 to \$4.00 and that would then mean that the charge per KWH would be \$2.75. Roll call as follows: Ayes, Councilmen Hovey, and Sakaguchi; No, Councilmen Chandler, Erickson, and Deist. City Attorney Storer advised that the statute required a one half plus one vote of the Council, therefore the motion was defeated.

Councilman Chandler stated that, inasmuch as it is necessary that an ordinance be passed to raise the utility rates, he would move 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 and that the Council adopt the ordinance that would leave the monthly service rate at \$3.00 and would increase the KWH rate of \$2.82. This motion

was seconded by Councilman Deist. Roll call as follows: Ayes, Councilmen Erickson, Deist, and Chandler; No, Councilmen Hovey and Sakaguchi. Motion defeated.

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There were further comments concerning the increasing of the service rate fee but no further motions made.

This memo from the Public Works Director was then read:

City of Idaho Falls
September 22, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: REQUEST FOR VACATION

John Julien has requested a portion of Calkins Drive be vacated where West 20th Street intersects the Butte Arm Canal. The requested vacation is to accommodate a home which is to be relocated on Lots 25 and 26 of Block 24 in the South Park Addition.

Public Works Committee has reviewed this request, in detail and would recommend a development agreement be established whereby a trapezoidal shaped portion of Calkins Drive be vacated in exchange for street and alley improvements. We are recommending the City Attorney be authorized to draft a Development Agreement and a subsequent Vacating Ordinance to be presented to the Council.

s/ Donald F. Lloyd, P. E.

Councilman Sakaguchi asked Engineer Ed Turner to identify the location and explain the proposal.

Mr. John Julian, the requester, appeared briefly to state that he would provide all improvements and plant and maintain grass for the entire area.

Mr. Bill Paschke, 462 12th Street, appeared briefly to recommend the proposal of Mr. Julian as, in his opinion, it would be an improvement to the community.

Mr. Merrill Tate, 563 9th Street, also appeared in favor of the proposal, stating it would be an improvement to the area.

Mr. John McKenzie, 490 West 20th Street, appeared and asked if the City property could not be bought or sold, only vacated. Attorney Storer responded to these questions by saying that, by law, the City is required, that if City property is bought or sold, that a public hearing is conducted to allow the public to give input, but if it merely involves a vacation of an easement in favor of the adjoining landowner, it does not require a hearing, only consideration of the Council. Mr. McKenzie stated that, in his opinion, there was not room on the lot for the large home that was planned to be placed on the lot. He said that the neighbors liked the open space and did not want the house there. Councilman Deist said that he had been to the area and he asked Mr. McKenzie if he also liked all the weeds on the lot. McKenzie said that he had tried to keep the weeds cut.

Mr. Wayne McArthur appeared to ask how the roadway could be paved when it belongs to the canal company? City Engineer Ed Turner stated that this situation was so different than other canals around the City, as the Canal Company would not mind if the City paved a portion of their road needed for canal maintenance. McArthur said that the house was too large for the lot. Councilman Deist asked the City Planner to respond to this

statement. City Planner Gilchrist said that, with the vacation as requested, there would be plenty of room for the house and sideyard requirements.

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Mr. Melvin Benson, 141 West 19th Street, appeared stating that West 19th Street is a dead-end street, which creates a problem for City graders to turn around, and he was against the vacation of this street. Public Works Director Lloyd stated that the configuration as explained earlier, would allow the graders to turn around properly.

Councilman Sakaguchi asked the City Attorney to comment at this time. Attorney Storer said that the Development Agreement for this area has not been finalized at this time, therefore, he had some reservations about proceeding and he would recommend that, if the Council take any action this night, that the action be advisory only and that it be done with the express understanding that it would not be a binding action because of the problems in the Development Agreement.

Councilman Sakaguchi said that, in view of the Attorney's statement, he would move that this matter be tabled and referred back to the Public Works Committee for further review. This motion was seconded by Councilman Deist. Roll call as follows: Ayes, Councilmen Hovey, Sakaguchi, Chandler, Erickson and Deist; carried.

Also, from the Public Works Director, came this memo:

City of Idaho Falls
September 23, 1982

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: REQUEST TO EXERCISE OPTION

City Council has previously entered into an Option Agreement for the purchase of a building on Hemmert Avenue for Water Department use.

Since monies have been budgeted, we are requesting the City Attorney be authorized to take the necessary steps to exercise this option prior to October 15, 1982.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Attorney be authorized to take the necessary steps to exercise this option prior to October 15, 1982. Roll call as follows: Ayes, Councilmen Sakaguchi, Erickson, Deist, and Hovey; No, None; carried.

Still, from the Public Works Director, came this memo:

MEMORANDUM

TO: Mayor and City Council
FROM: Donald F. Lloyd, P. E.
SUBJECT: BISH JENKINS OPTION

City Council has previously entered into an Option Agreement for the purchase of a gravel source with Bish Jenkins.

Since monies have been budgeted for this purpose, we are requesting the City Attorney be authorized to take the necessary steps to exercise this option prior to October 30, 1982.

Sincerely,
s/ Donald F. Lloyd

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It was moved by Councilman Sakaguchi, seconded by Deist, that the City Attorney be authorized to take the necessary steps to exercise this option prior to October 30, 1982. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Also, from the Public Works Director, came this memo:

ATTENTION: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: CLAUSE B FUNDING

Clause B Funding may be available to the City for the development of 17th Street. This funding method increases Federal participation to 91% and is available if the City can demonstrate the expenditure of local funds to develop City streets and bridges.

We are attaching a summary of the eligible expenditures and a Clause B certification.

We are requesting the Mayor and City Clerk be authorized to sign this certificate for Clause B Funding.

Sincerely,
s/ Donald F. Lloyd

Councilman Sakaguchi asked Public Works Director Lloyd to explain what "Clause B" funding is. It was then moved by Councilman Sakaguchi, seconded by Deist, that the Mayor and City Clerk be authorized to sign this certificate for "Clause B" funding. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Finally, from the Public Works Director, came this memo:

ATTENTION: Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: SAND CREEK GOLF COURSE EQUIPMENT & STORAGE BUILDING

On September 22, 1982, two (2) bids were received for the Sand Creek Golf Course Equipment & golf cart building as follows:

Skidmore Construction	\$47,980.00
Steel Systems, Inc.	48,037.00
Engineer's Estimate	74,800.00

We are recommending that the contract be awarded to the low bidder, Skidmore Construction, in the amount of \$47,980.00.

Sincerely,
s/ Donald F. Lloyd

SEPTEMBER 23, 1982

It was moved by Councilman Deist, seconded by Chandler, that the contract for Sand Creek Golf Course Equipment and Storage building be awarded to the low bidder, Skidmore Construction, in the amount of \$47,980.00. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

From the General Services Director, came this memo:

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-29, TWO (2) CAB & CHASSIS

It is the recommendation of the General Services Division that the City Council accept the low bid of Smith Intermountain Truck to furnish two (2) cab and chassis; one (1) at \$18,230.00 with trade and one (1) at \$18,130.00 with trade as per bid specifications.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Deist, that the Council accept the low bid of Smith Intermountain Truck to furnish two cab and chassis; one at \$18,230 with trade and one at \$18,130, with trade as per bid specifications. Roll call as follows: Ayes, Councilman Deist, Hovey, Sakaguchi, Chandler, and Erickson; No, none; carried.

Also from the General Services Director, came this memo:

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-27, TWO CAB & CHASSIS FOR SANITATION

It is the recommendation of the Sanitation Department and General Services Division that the City Council accept the low bid of Smith Chevrolet Company, Inc. to furnish two (2) cab and chassis; one (1) at \$23,998.90 without trade and one (1) at \$24,399.90 without trade as per bid specifications.

s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that these bids be awarded as recommended. Roll call as follows: Ayes, Councilmen Erickson, Deist, Hovey, Sakaguchi, and Chandler; No, none; carried.

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

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-28, TWO REFUSE BODIES FOR SANITATION

It is the recommendation of the Sanitation Department and General Services Division that the City Council accept the low bid of Western Road Machinery Co. to furnish two (2) refuse bodies; one (1) 20 cubic yard Refuse Body at \$10,527.00 with trade and one (1) 28 cubic yard Refuse Body at \$20,048.00 with trade as per bid specifications.

s/ Chad Stanger

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It was moved by Councilman Chandler, seconded by Hovey, that the Council accept this bid as presented. Roll call as follows: Ayes, Councilmen Deist, Hovey, Sakaguchi, Chandler, and Erickson; No, none, carried.

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

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: ROAD SALT - BID #IF-82-24

It is the recommendation of the General Services Division that the City Council accept the low bid of Doug Andrus Distribution Inc. to furnish kiln dried road salt at \$22.50 per ton as per bid specifications.

Respectfully,
s/ Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the Council accept the low bid of Doug Andrus Distributing, Inc. to furnish kiln dried road salt at \$22.50 per ton. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

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

ATTENTION: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-82-25, 15 KV METAL CLAD SWITCHGEAR

Attached is a tabulation of bids for Bid #IF-82-25, 15 KV Metal Clad Switchgear. It is the recommendation of the Electrical and General Services Division that the City Council accept the low responsive bid of Graybar Electric to supply the above described equipment at the bid amount of \$135,715.00.

There are other costs associated with installation of the equipment which were provided by the bidders and calculated for purposes of bid analysis. Attached, also, is a tabulation of the bid analysis results as provided by the Electrical Engineer. The apparent low bid of Central Electric was considered to be non-responsive because it did not provide those requested items necessary for a proper evaluation of the bid.

Respectfully,
Chad Stanger

It was moved by Councilman Chandler, seconded by Hovey, that the bid be awarded to Graybar Electric Equipment to supply 15 KV metal clad switchgear for \$135,715.00. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, Hovey, and Sakaguchi; No, none; carried.

Councilman Hovey stated that the next Regular Council Meeting will not be held until October 7th, which is well into the new fiscal year so, after a quick calculation, it appears that the City would be losing approximately one hundred thousand dollars a week, therefore presented the following captioned ordinance:

SEPTEMBER 23, 1982

ORDINANCE NO.

AN ORDINANCE ESTABLISHING AND FIXING A REVISED SCHEDULE OF RATES TO BE CHARGED CUSTOMERS OF THE IDAHO FALLS MUNICIPAL LIGHT AND POWER PLANT AND DISTRIBUTION SYSTEM; REPEALING SECTION 4-4-10, OF THE CITY CODE, THE SAME CONSTITUTING THE EXISTING SCHEDULE OF RATES FOR ELECTRIC SERVICE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

Councilman Hovey then proposed the motion 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 and the Council adopt the ordinance that would set the rate of 2.72 cents per KWH and a service charge of \$4.00. Roll call as follows: Ayes, Councilmen Hovey and Sakaguchi; No, Councilmen Chandler, Erickson, and Deist. Motion did not carry by the required one-half plus one vote of the Council.

Councilman Hovey then presented this captioned ordinance:

ORDINANCE NO. 1709

AN ORDINANCE ESTABLISHING AND FIXING A REVISED SCHEDULE OF RATES TO BE CHARGED CUSTOMERS OF THE IDAHO FALLS MUNICIPAL LIGHT AND POWER PLANT AND DISTRIBUTION SYSTEM; REPEALING SECTION 4-4-10, OF THE CITY CODE, THE SAME CONSTITUTING THE EXISTING SCHEDULE OF RATES FOR ELECTRIC SERVICE; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

It was moved by Councilman Hovey, seconded by Chandler, 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 and the ordinance which would set the KWH charge at 2.82 cents per KWH and leave the service rate at \$3.00 per month be adopted and passed on all three readings. Roll call as follows: Ayes, Councilmen Chandler, Erickson, Deist, and Hovey; No, Councilman Sakaguchi; carried.

There being no further business, it was moved by Councilman Hovey, seconded by Chandler, that the meeting adjourn at 8:45 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Melvin Erickson
Mayor Pro Tem