

OCTOBER 23, 1980

Prior to calling the meeting to order, the Mayor called upon Eagle Scout Craig Ellis to come forward to the Council Table and lead all those present in the Pledging of Allegiance to the Flag.

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

Minutes of the last regular Council Meeting held October 9, 1980 were read and approved.

At the request of the Mayor, Eagle Scouts Craig Ellis, Eric Klein, Carl Perkins and Eric Jenson came forward to the Council Table. Mayor Campbell congratulated these young men for achieving the Eagle Scout award and told them the whole City was proud of them. He then presented each young man a Certificate of Appreciation, after which they received a congratulatory handshake from all City Officials around the Council Table.

The Mayor announced that this was the time and the place, as legally advertised, to conduct a public hearing to consider amendment to the zoning ordinance pertaining to Planned Unit Development, and asked Councilman Chandler, as Chairman of the Planning and Zoning Committee, to conduct the hearing.

Councilman Chandler explained that this proposal had been discussed at a recent work session where there were several questions raised by Councilmen and the Legal Counsel, and in view of this, he felt this should not be considered at this time. Councilman Chandler asked if there was anyone present who wished to speak on the proposed amendment to the Planned Unit Development.

There being no questions or comment, it was moved by Councilman Chandler, seconded by Sakaguchi, that the consideration of the amendments to the zoning ordinance, pertaining to the Planned Unit Development, be tabled indefinitely and the Building Committee and the Legal Counsel be instructed to review and then prepare an appropriate ordinance for Council consideration. Roll call as follows: Ayes, 6; No, none; carried.

Noting from the agenda that annexation proceedings for Alice Dickson Estates, Division No. 5 were to be considered this night, the Mayor called upon Councilman Chandler to conduct the proceedings. Councilman Chandler asked the City Clerk to read this explanatory memo from the City Planner:

City of Idaho Falls
October 21, 1980

MEMORANDUM

TO: Mayor and Council
FROM: Rod Gilchrist
SUBJECT: ALICE DICKSON ESTATES, DIVISION #5 - FINAL PLAT,
ANNEXATION & INITIAL ZONING

Attached is a copy of the final plat, annexation ordinance and annexation agreement for property to be known at Alice Dickson Estates, Division No. 5. This was recently considered by the Planning Commission at a public hearing, and at that time, the Planning Commission recommended annexation of the property, approval of the final plat and initial zoning of RP-A and R-2.

This Department concurs with that recommendation and this matter is now being submitted to the Mayor and Council for your consideration.

s/ Rod Gilchrist

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Councilman Chandler then asked Ben Inman, Assistant City Planner, to locate the area on a map on the wall. At the invitation for questions or comments from anyone present, Mr. Doug Wenzel, Rt. 9, Box 185, appeared stating he felt obligated to protest annexation of areas that do not have proper storm drainage. He said that the feeble attempts that have been made to solve the storm draining problems in Alice Dickson Estates are no more than negligence and have only increased the potential of flooding of his property. He asked if the City had approval from the State to modify the dry well in the area. Public Works Director Lloyd answered that the City has applied for a permit to modify. Wenzel then asked if the City had any plans for installing a pipe or drainage outlet from the pond. Public Works Director Lloyd said there were plans. Wenzel asked when they anticipated doing this work. Lloyd said there was not a time frame on this project. Wenzel stated that if part of the City's plan involved canals in the New Sweden Irrigation District, he was certain that the district had not and would not give approval for this at this time. He said further, that until the City adequately solved the drainage problems of the west side of the City, he must continue to protest the annexation of areas such as this proposed for annexation this night.

There being no further comment, it was moved by Councilman Chandler, seconded by Sakaguchi, that the final plat of Alice Dickson Estates, Division No. 5 be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

City Attorney Smith stated that the annexation agreement about to be considered was missing one signature which did not invalidate the agreement, but weakened the capacity of the City to enforce collection of the money. He recommended that, if the annexation agreement were approved, it be approved subject to the missing signature being added. During the discussion it was determined that it would be better to postpone action on this agreement until all signatures were properly applied. Therefore, it was moved by Councilman Chandler, seconded by Sakaguchi, that based on information received, any further action be postponed until all signatures are properly obtained. Roll call as follows: Ayes, 6; No, none; carried.

It was then moved by Councilman Chandler, seconded by Sakaguchi, that the public hearing scheduled this night to consider the initial zoning of Alice Dickson, Estate, Division No. 5 be postponed until the next regular Council Meeting on Wednesday, November 5th, 1980. Roll call as follows: Ayes, 6; No, none; carried.

Mayor Campbell reported that Governor John Evans has chosen November 5th, as "Idaho Falls Capital for a Day" and so he was moving the meeting scheduled to be held on that day to Wednesday, November 5th, 1980.

The Mayor then asked City Treasurer Lorna Coughlin to present the final figures on the expenses of advertising for the recently conducted Swimming Pool Bond election. The Treasurer presented the following list of expenses and list of donations received:

SWIMMING POOL BOND ELECTION - 1980
EXPENSES

| | |
|-------------------------------------|---------|
| Speedy Print \$33.00 - maps \$15.00 | 49.10 |
| Fisher/ Voss Advertising | 551.05 |
| KTEE | 255.00 |
| KIVI (Channel 6) | 300.00 |
| KID | 1210.00 |
| KIFI | 695.98 |
| KUPI | 510.00 |

Q99
Post Register

357.50
1415.12

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| | |
|--------------------|--------------|
| Bitton Advertising | 200.00 |
| Curtis Publishing | 500.00 |
| Brian Crane Design | 200.00 |
| Speedy Print | <u>42.39</u> |
| | \$6286.14 |

SWIMMING POOL BOND ELECTION - 1980
DONATIONS

| | |
|-------------------------------|-----------------|
| GHG Investment Co. (Groberg) | 100.00 |
| OHC Cooperative Assoc. Inc. | 100.00 |
| Bingham Mechanical | 100.00 |
| Snake River Cardiology | 100.00 |
| Rogers Brothers Seed Co. | 25.00 |
| Ron Lechelt, M.D. | 25.00 |
| Larry Staker, M.D. | 25.00 |
| Electrical Wholesale | 50.00 |
| Idaho Falls Medical Plaza | 50.00 |
| Charles R. Boge, M.D. | 100.00 |
| H-K Contractors, Inc. | 100.00 |
| Monte or Ilene Piquet | 25.00 |
| Fisher/Voss Advertising | 25.00 |
| Eye Clinic of Idaho Falls | 400.00 |
| Yost Office Systems, Inc. | 400.00 |
| Thomas J. Setter, M.D. | 25.00 |
| Idaho Falls Battery Co., Inc. | 20.00 |
| Breiter Machine & Welding Co. | 10.00 |
| Amcor | 150.00 |
| James L. Richards, M.D. | <u>100.00</u> |
| | \$1930.00 |
| City Money Budgeted | <u>+5000.00</u> |
| | \$6930.00 |
| Expenses | <u>-6286.14</u> |
| Balance of Cash | 643.86 |

Mayor Campbell asked the Treasurer if, to her knowledge, all bills were received. The Treasurer said she had verification from Mr. Willis Yost and Ms. Commander that all bills were in.

License applications for GROCERY STORE, Hi-Land Market, Hickory Farms Christmas Gift Center; ELECTRICAL CONTRACTOR, Dave Polk Electric, Jolley Electric; JOURNEYMAN ELECTRICIAN, Ivan L. Jolley, Dave Polk, Lane Woolstenhulme, Ronald D. Webb; APPRENTICE ELECTRICIAN, Reece W. Burke with Fairway Electric Co., Randy M. Stone with Eagle Electric; PLUMBING CONTRACTOR, Hills Plumbing & Heating, Inc.; JOURNEYMAN PLUMBER, Val R. Hill, Marlin A. Hill, Warren J. McIntire; APPRENTICE PLUMBER, Carl M. Luther with Hills Plumbing & Heating; PAWN BROKER, Wick's Custom Car Stereo, Inc.; PHOTOGRAPHER, Olan Mills, Inc. of Ohio; PUBLIC RIGHTS OF WAY, Pioneer Plumbing; BARTENDER, Cynthia C. Gray, Kathleen A. Warren, Edith M. Vollman, Debbie Sessions, Carolyn Schreck, Shirley Rowland, John P. Myler, Clarence R. Moore, Denise McKelvey, Donna Deddens; BEER (CANNED AND BOTTLED, NOT TO BE CONSUMED ON THE PREMISES) Hi-land Market, were presented. It was moved by

Councilman Erickson, seconded by Deist, that these licenses be approved, subject to the

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

The City Clerk asked for Council authorization to publish a legal notice calling for a public hearing on Wednesday, November 5th, 1980, to consider the granting of a variance to allow an illuminated sign in a P-B Zone, location of the Bank of Commerce. It was moved by Councilman Hovey, seconded by Chandler, that the City Clerk be authorized to publish a legal notice pertaining to the illumination of a sign in a P-B Zone. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the City Controller was then presented:

City of Idaho Falls
October 23, 1980

MEMORANDUM

TO: Mayor Thomas Campbell and City Council
FROM: John D. Evans, Controller
SUBJECT: PROPOSAL TO PROVIDE TECHNICAL SERVICES - UTILITY
DEPT. R.W. BECK AND ASSOCIATES

Attached is a proposal from R. W. Beck and Associates to provide technical services relating to the appraisal and implementation to utility customers service and billing procedures for the City of Idaho Falls.

The Finance Committee have reviewed this proposal with Mr. Harrison and staff and feel this professional service will be of great assistance to us.

Therefore, we are requesting that the Council approve Phase I of the proposal and authorize the Mayor and Clerk to sign the attached "Work Order Agreement". Estimated cost - \$17,025.00 with work tentatively scheduled to begin 11/17/80.

s/ John D. Evans

Councilman Hovey stated that the Finance Committee and the Electrical Committee had met with representatives from Beck and Associates to review their proposal. He said this is a two-phase proposal; Phase 1 would be an analysis of the total electrical utility billing, meter reading and customer relations, and would cost approximately \$17,000.00. He said that if the first phase is satisfactory and the City personnel feels it is going in the right direction, the second phase will be presented to the Council for approval. It was moved by Councilman Hovey, seconded by Chandler, that the Mayor and City Clerk be authorized to sign the Work Agreement with R.W. Beck and Associates in the amount of \$17,025.00 for the first phase which is tentatively scheduled to begin the week of November 17, 1980. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Deist asked if there was any indication how much Phase II would cost. Hovey answered it would be approximately \$40,000.00 and that Phase II would be to actually incorporate the system. He said the Committee expects that better utilization of the system and computer can be obtained.

This memo from the Electrical Engineer was then read:

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City of Idaho Falls
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MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: H-K CONTRACT, DAM NO. 1 - CHANGE ORDER #6

The work related to Dam No. 1 at the Upper Plant is essentially complete. Final measurement of quantities reveal that an additional \$186,433.66 is due the contractor for material placed in excess of the engineers estimate.

Approval of this change order will establish a new contract price of \$2,319,875.96. Council consideration of this change is requested.

s/ G.S. Harrison

Councilman Hovey explained that the original contract was based on an estimated number of yards of dirt or gravel and the actual completed quantities, as certified by IECO, the inspector on the project, and the engineering firm, indicates that the amount of material actually put in place or removed was greater than the engineer's estimate, increasing the contract in the amount of \$186,433.66, and this has been certified by IECO as being correct. It was moved by Councilman Hovey, seconded by Wood, that Change Order No. 6 be approved and the City Controller be authorized to issue a warrant in the amount of \$186,433.66 for payment. Roll call as follows: Ayes, 6; No, none; carried. Councilman Erickson asked how close this project was to being completed. Hovey said it was, basically, one hundred percent complete.

Also, from the Electrical Engineer, came this memo:

City of Idaho Falls
October 22, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Steve Harrison, Manager
SUBJECT: H-K CONTRACT UPPER PLANT DAM NO. 1

International Engineering Company, Inc. (IECO) has recommended that certain H-K claims for extra work related to completion of Dam No. 1 be paid by the City. Some of the claims resulted from incomplete engineering drawings and specifications and some are the result of Neyrpic fabrication errors and/or omissions.

Extra work claimed by H-K amounts to \$90,081.57 but IECO recommends approval of payment for \$87,676.04.

It may be possible to recover up to \$39,000 of these costs from Neyrpic.

Approval of this payment will result in a new contract price of \$2,407,552.00. Consideration of this contract change is requested.

s/ G.S. Harrison

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Councilman Hovey stated that Neyrpic's errors, late deliveries and other problems, caused approximately \$39,000.00 of the \$87,676.04 amount claimed due to H-K Contractors, but since the City's contract is with H-K Contractors, and upon the recommendation of IECO and the Legal Counsel, he would move that the City Controller be authorized to pay H-K Contractors the amount of \$87,676.04, resulting from engineering specifications and drawings and Neyrpic fabrication errors, which IECO has approved as being work that is legitimately reimbursable for H-K Contractors. This motion was seconded by Councilman Wood. Councilman Erickson asked if the difference of \$2,405.53 would be disputed by H-K Contractors. Hovey said it was his understanding that this had been resolved by IECO and H-K as not being a legitimate claim. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was then presented:

City of Idaho Falls
October 22, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd, P.E.
SUBJECT: RATE ADJUSTMENT FOR TILT-FRAME CONTAINERS

Recent increases in cost have made it necessary to review the fees for servicing tilt-frame containers. Existing rates were established some three years ago and inflation has now made it necessary to request an adjustment. We are recommending that the City Attorney and Public Works staff be directed to develop an Amendment to the rate Ordinance.

s/ Donald F. Lloyd

Councilman Sakaguchi stated that some of the merchants in the mall area are compressing their own refuse and so the Committee feels it necessary to amend the rate ordinance. It was moved by Councilman Sakaguchi, seconded by Deist, that the Public Works Committee and the City Attorney be authorized to prepare an amending ordinance accordingly. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
October 23, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: ADVERTISE FOR BIDS - 14TH STREET WATERLINE

The plans and specifications are nearing completion for the replacement of approximately 2650 feet of waterline on 14th Street.

This project has been reviewed by the Public Works Committee and we are recommending that the City Clerk be authorized to advertise for competitive bids.

s/ Donald F. Lloyd

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It was moved by Councilman Sakaguchi, seconded by Deist, that the City Clerk be authorized to advertise for bids for waterline replacement on 14th Street. Roll call as follows: Ayes, 6; No, none; carried.

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

City of Idaho Falls
October 23, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: ADVERTISE FOR BIDS - 10TH STREET WATERLINE

The plans and specifications are nearing completion for the replacement of approximately 2650 feet of waterline on 10th Street.

This project has been reviewed by the Public Works Committee and we are recommending that the City Clerk be authorized to advertise for competitive bids.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Clerk be authorized to advertise for bids for 10th Street waterline replacement. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director came this memo:

City of Idaho Falls
October 23, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: ADVERTISE FOR BIDS - NORTH BOULEVARD WATER &
SEWER LINES EXTENSIONS

The plans and specifications are nearing completion for the extensions of approximately 175 feet of sewer line and 525 feet of water line on North Boulevard.

This project has been reviewed by the Public Works Committee and we are recommending that the City Clerk be authorized to advertise for competitive bids.

s/ Donald Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Clerk be authorized to advertise for bids for North Boulevard water and sewerline extension. Roll call as follows; Ayes, 6; No, none; carried.

Still from the Public Works Director came this memo:

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City of Idaho Falls
October 22, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: GRAVEL CRUSHING

The Street Department has depleted their source of maintenance gravel and are looking forward to a crushing contract this winter. We are therefore requesting authorization for the City Clerk to advertise for competitive bids.

s/ Donald F. Lloyd

It was moved by Councilman Sakaguchi, seconded by Deist, that the City Clerk be authorized to advertise for bids for gravel crushing. Roll call as follows: Ayes, 6; No, none; carried.

Still from the Public Works Director, this memo was read:

City of Idaho Falls
October 20, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: ALLEY BETWEEN 21ST STREET AND 22ND STREET AT
HIGBEE SANITARY SEWERLINE

On October 1, 1980, Councilmen Sakaguchi, Deist, Chandler, and Hovey were polled to approve authorization for advertising for emergency repair of a sanitary sewer. The project was advertised and bids were received on October 14, 1980 as follows:

| | |
|-----------------------|-------------|
| O & F Construction | \$ 9,323.00 |
| H-K Contractors, Inc. | \$11,926.00 |
| Engineer's Estimate | \$ 9,103.60 |

Because of the emergency nature of the work, Councilmen Sakaguchi, Chandler, and Hovey were polled to award the contract to the low bidder, O & F Construction, in the amount of \$9,323.00.

We are requesting Council now ratify the previous action of authorizing, advertising, and awarding the contract for this emergency sanitary sewer repair.

s/ Donald Lloyd

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It was moved by Councilman Sakaguchi, seconded by Deist, that the Council ratify the previous action of authorizing, advertising, and awarding the contract to O & F Construction Company in the amount of \$9,323.00, for this emergency sanitary sewer repair. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney presented and explained the following recommendation concerning a damage claim in the name of G. Merrill Tate:

City of Idaho Falls
October 15, 1980

Mrs. Velma Chandler
City Clerk
P.O. Box 220
Idaho Falls Idaho 83401

RE: Claimant: Merrill Tate
Insured: City of Idaho Falls
D/L: 8/13/80

Dear Velma:

Reference is made to a claim of G. Merrill Tate filed with you early last September. The claim is that the City made this claimant hook his sewer into the sanitary sewer system instead of into the storm drainage system. The claimant states that in 1948, he was given permission by the then building official, or other city agent, to make an improper hook up. I have talked with the attorney for Mr. Tate, and I believe I have convinced him to drop the whole matter. The attorney's name is Douglas R. Nelson. My recommendation, of course, to the City Council is that this claim be denied.

Sincerely yours,
s/ A.L. Smith

It was moved by Councilman Hovey, seconded by Chandler, that the above described claim be respectfully denied. Roll call as follows: Ayes, 6; No, none; carried.

From the General Services Director came this memo:

City of Idaho Falls
October 23, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: LEASE AGREEMENT - CITY OF I.F. AND TETON PEAKS
COUNCIL, B.S.A.

Attached are signed copies of a lease agreement between the City of Idaho Falls and Teton Peaks Council, Boy Scouts of America, Inc. amending the present

lease into one agreement for both the parking facility and the building lot at 574 4th Street, Idaho Falls, Idaho.

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In addition to combining the two leases this agreement correlates the expiration dates of both. Respectfully request authorization for the Mayor and City Clerk to sign.

s/ Chad Stanger

Councilman Erickson stated that this agreement has an option for an additional twenty-five years. It was moved by Councilman Erickson, seconded by Chandler, that the Mayor and City Clerk be authorized to sign the lease agreement with Teton Peaks Council, Boy Scouts of America. Roll call as follows: Ayes, 6; No, none; carried.

Also from the General Services Director, this memo was read:

City of Idaho Falls
October 23, 1980

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BOY SCOUT BUILDING LEASE

Attached are signed copies of a lease agreement between the City of Idaho Falls and Teton Peaks Council, Boy Scouts of America, Inc. for property located at the City Garage.

At the present a storage building built by the Teton Council is located on this property and the Boy Scouts will expand this facility.

Respectfully request authorization for the Mayor and City Clerk to sign.

s/ Chad Stanger

Councilman Erickson explained that this expansion of space does not hinder the operations at the Garage. He said the initial term was for twenty-seven years with an option of one twenty-five year extension for \$1.00 per year. He said, further, that the building codes and the Teton Council cannot sub-lease to anyone without the City's permission. Erickson continued by saying that the Teton Council has a hold harmless agreement and is carrying proper liability insurance. He said this agreement was basically the same as the previous one and the City will retain ownership of the building at the time the lease terminates. It was moved by Councilman Erickson, seconded by Chandler, that the extension of lease agreement be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Chandler, seconded by Wood, that the meeting adjourn at 8:40 P.M., carried.

s/ Velma Chandler
City Clerk

s/ Thomas Campbell
Mayor