

JUNE 24, 1976

The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, June 24th, 1976, at 7:30 P.M., in the Council Chambers, Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen; Councilmen Jim Freeman, Mel Erickson, Ralph Wood, Gil Karst, Paul Hovey, and Tom Campbell. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney and all other available Division Directors.

Minutes of the last recessed regular meeting, held June 10th, and a special meeting held June 16th, 1976, were read and approved as amended.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to consider two rezoning petitions. First to be reviewed was the Skyline Investment petition explained by this memo from the Building Administrator:

City of Idaho Falls
June 24, 1976

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: PETITION TO REZONE – WESTGATE ADDITION, BLOCK 3, LOT 1

Attached is a copy of a petition to rezone the above described property from HC-1 to R-3A. This property is located on West Broadway, on the west side of Hansen Avenue. This petition was submitted by Skyline Investment Corporation.

The Planning Commission considered this request at their regular meeting May 25th, 1976, and at that time recommended approval of the request. This Department concurs with the Commission's recommendation. It is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

Councilman Campbell pointed out that this rezoning would upgrade the area and would control access to Broadway. Moreover, continued Campbell, it would protect the area in question from commercial development. There were none who appeared for purposes of protesting this rezoning request. It was moved by Councilman Campbell, seconded by Erickson, that this rezoning be approved as recommended, from HC-1 to R-3A. Roll call as follows: Ayes, 6; No, none; carried.

The next rezoning petition was introduced by this explanatory memo from the Building Administrator:

City of Idaho Falls
June 24, 1976

MEMORANDUM

TO: Mayor and City Council
FROM: Rod Gilchrist
SUBJECT: PETITION TO REZONE – SKYLINE & PANCHERI

Attached is a copy of a petition to rezone a parcel of property located on the east side of South Skyline Drive and the north side of Pancheri Drive, from R-1 to R-2. This petition was submitted by Amalia Hall.

JUNE 24, 1976

The Planning Commission considered this request at their regular meeting May 25th, 1976, and at that time recommended approval of the request. This Department concurs with the Commissions' recommendation. It is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

There were none who appeared to protest this proposed rezoning. Campbell noted the area around the Amalia Hall property was virtually all zoned lower than R-1 and that said property was not conducive to development in an R-1 zone. It was moved by Councilman Campbell, seconded by Erickson, that this rezoning request be approved from R-1 to R-2. Roll call as follows: Ayes, 6; No, none; carried.

It was moved by Councilman Campbell, seconded by Erickson, that in both instances of the foregoing rezoning, the Building Official be authorized and directed to incorporate said approved rezoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

This damage claim was presented by the City Clerk:

Woodland & Hawkes
June 16, 1976

Mr. Merlin Barnes
City Clerk
City of Idaho Falls
Idaho Falls, Idaho

RE: Ann and Tom Winders

Dear Mr. Barnes:

This letter is written pursuant to Idaho Code Sections 6-906 and 6-907 to advise the City of Idaho Falls of a claim against it pursuant to the Idaho Tort Claim Act on behalf of Mr. and Mrs. Tom Winder. The Winders reside at 389 S. Holmes in Shelley which is the same address at which they resided for the six months immediately prior to this claim.

On April 9, 1976, the car driven by Mrs. Winder was, without excuse or justification, struck from behind by an Idaho Falls City policeman, Officer Kay Edwards. Mrs. Winder was stopped for the car ahead of her at the time of impact. Officer Edwards was not braking at the time of impact. The impact occurred on Yellowstone approximately 100 to 200 feet beyond its intersection with Broadway.

As a direct result of the negligence of Officer Edwards, Mrs. Winder spent an initial two weeks in the hospital and is now required to wear a body brace. She is under the care of a neurologist and orthopedic surgeon.

It is our understanding that an investigation was made by the Idaho State Police since the incident involved an Idaho Falls City Police officer acting in the scope of his employment and duties. The names of all persons involved other than the Winders and Officer Edwards would be available from the State Police.

JUNE 24, 1976

The result of the collision was that Mrs. Winder was severely injured and the automobile damaged. It appears there will be a resultant partial permanent disability. In addition, both Mr. and Mrs. Winder have lost, and will in the future lose, employment income. Additional expenses will also be incurred to provide assistance and care to the family formerly provided by Mrs. Winder. The injuries have also damaged the normal marital relationship between Mr. and Mrs. Winder.

This letter, therefore, is demand pursuant to the Idaho tort Claims Act for payment of the following:

Hospitalization	\$ 1,215.30
Other Medical Expense	250.00
Automobile Repairs	610.94
Future Medical Expense	5,000.00
Loss of Income	20,000.00
Additional Care Expense	40,000.00
General Damages	50,000.00

Your prompt reply either paying or denying this claim will be sincerely appreciated.

Lowell N. Hawkes
Woodland & Hawkes

It was explained that in the interest of time this was turned to the City's liability insurance carrier on June 18th without formal Council approval. It was moved by Councilman Karst, seconded by Freeman, that this action be ratified. Roll call as follows: Ayes, 6; No, none; carried.

License applications for FIREWORKS, Bowl-ero, Kings, Ben Franklin, Fay's Foodliner, Katz Pharmacy, Ray's Minit Market, Ronald Johnson, K-Mart, Bearing Supply, 17th Street Albertsons, Safeway, Sears, Plaza Lanes, Midget Market, Town House, Monty's Food King; APPRENTICE ELECTRICIAN, Wade Christensen with LOC Electric, Craig Perrenoud with LB Electric, Charles Rankin with Christensen Electric, John C. Sanders with Jewell Electric; JOURNEYMAN ELECTRICIAN, Floyd M. Gifford, Eldon R. Jorgensen, Donald M. Giles, James R. Ross; ELECTRICAL CONTRACTOR, Floyd M. Gifford; CLASS C CONTRACTOR, GAS FITTING, WARM AIR, AIR CONDITIONING, Ken Dean; CLASS C JOURNEYMAN, GAS FITTING, AIR CONDITIONING AND WARM AIR, Ken Dean; JOURNEYMAN PLUMBER, Michael R. Freeman; BARTENDER, Tony N. Hernandez, Michael Ryan, Jr., JoAnne Croft; BEER (canned and bottled, not to be consumed on the premises), Kenlon Johnson, for Forde Johnson Oil Co.; BEER, (canned, bottled to be consumed on the premises), Russetts Lions Club at Highland Park, were presented. It was moved by Councilman Erickson, seconded by Karst, that these licenses be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk were three City Redemption Tax Deeds; two in favor of Dean Pfof and one in the name of the Professional Building Company, accompanied by these resolutions:

JUNE 24, 1976

R E S O L U T I O N (Resolution No. 1976-23)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 20th day of February, 1969, recorded as Instrument No. 394079, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 36, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville, Lots 21-24, inclusive of Block 65 per the recorded plat thereof.

WHEREAS, DEAN F. PFOST has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold the then due, together with penalties and interest thereon;

NOW THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said DEAN F. PFOST a deed to said property pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE Mayor this 24th day of June, 1976.

APPROVED BY THE Mayor this 24th day of June, 1976.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

R E S O L U T I O N (Resolution No. 1976-24)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 17, Title 50, Idaho Code, and by deed of the City Treasurer dated the 21st day of May, 1970, recorded as Instrument No. 4079909, records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 27, to-wit:

In the Highland Park Addition to the City of Idaho Falls, County of Bonneville, Lots 21 to 24 incl. less 3236 sq. ft., Block 65, per the recorded plat thereof.

WHEREAS, DEAN PFOST has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW THEREFORE, BE IT RESOLVED:

JUNE 24, 1976

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said DEAN PFOST a deed to said property, pursuant to the provisions of Section 50-1751, Idaho Code.

PASSED BY THE COUNCIL this 24th day of June, 1976.

APPROVED BY THE Mayor this 24th day of June, 1976.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

R E S O L U T I O N (Resolution No. 1976-25)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 17, Idaho Code, and by deed of the City Treasurer dated the 17th day of June, 1975, recorded as Instrument #280430 records of Bonneville County, Idaho acquire title to and possession of the following described real property, within Local Improvement District No. 44, to-wit:

In the Railroad Addition to the City of Idaho Falls,
County of Bonneville, Lot 5 of Block 21, per the
recorded plat thereof.

WHEREAS, PROFESSIONAL BUILDING COMPANY has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum on money by said purchaser to make, execute and deliver to the said Professional Building Company a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 24th day of June, 1976.

APPROVED BY THE MAYOR this 24th day of June, 1976.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

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

JUNE 24, 1976

A ten year extension rider was presented which would extend the maturity for that length of time of a Union Pacific Railroad Contract Agreement L.D. No. 18411 covering a sewer pipe line crossing and encroachment for surface drainage serving the 16th and Rollandet area, including the 17th Street underpass. It was moved by Councilman Karst, seconded by Campbell, that this extension rider be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This petition with 75 signers representing 51 residences, was presented and read aloud:

June 17, 1976

His Honor the Mayor
and City Council
Idaho Falls, Idaho

Gentlemen:

We, the undersigned, live in close proximity to the nearly vacant area enclosed by Linden Drive, Ninth Street, Russet Street, and Lincoln Drive (Linden Park, Block 1). For the reasons listed below, we respectfully request you to consider changing the zoning classification of this area from RSC-1 Residential Shopping Center Zone to R-1 Residence Zone.

1. Some of the Special Provisions of Section 7-8-9- of Ordinance No. 1115 have not been complied with, namely:
 - a. The time limit for thirty-six (36) months after the date of zone designation by the City Council for completion of improvements is long past.
 - b. Landscaping has not met the ordinance requirements, and what has been has not been maintained.
 - c. Light and noise from the two existing shops that have operated intermittently have been excessive to the point of extreme annoyance to the closer residences. This occurred all night long for the 7-11 store and made sleeping very difficult for the nearest residents.
2. Even before the last closure of the two existing shops, motorcycle traffic in the vacant area as well as the parking lots was a frequent annoyance to residents. Since the closure of the shops, motorcycle traffic has increased. The racing type bikes with extremely loud and irritating noises are using the parking lot embankment for a jump. These bikes also endanger children that frequently play throughout the area, both afoot and on bicycles. There is a very large number of children in the area at times – going to and from Linden Park School.
3. In its present state of non-development, the area presents a severe dust problem during windy weather to downwind residents.

JUNE 24, 1976

It was noted that the concerned petition signers resided on 9th Street, Russet, Lincoln Drive, Holbrook, Tendoy, Division and 10th Street. It was moved by Councilman Campbell, seconded by Erickson, that this petition be turned to the Building and Zoning Council Committee and the Planning Commission for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

From the General Services Director came this memo:

City of Idaho Falls
June 24, 1976

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID AUTHORIZATION – CIVIC AUDITORIUM AUDIO SYSTEM

The General Services Division respectfully request authorization to advertise for bids for the installation of a new audio system at the Civic Auditorium.

Thank you,
s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that authorization be granted to advertise for bids on the project as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the General Services Director was forthcoming, as follows:

City of Idaho Falls
June 24, 1976

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: ELECTRICAL CONDUCTOR AND CABLE

It is the recommendation of the General Services and Electric Division that the City Council accept the low qualifying bid on each of the eleven items as follows:

Items 1, 5, 6, 7, and 9	Graybar Electric	\$54,462.52
Items 2 and 3	Riter Engineering	31,175.20
Item 10	Electrical Contractors	8,639.40
Items 4 and 11	National Electric Cable	4,331.00
Item 8	Westinghouse Electric	704.93
	TOTAL	\$99,313.05

s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that each qualifying low bid be accepted as recommended for the electric conductor and cable as indicated. Roll call as follows: Ayes, 6; No none; carried.

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

JUNE 24, 1976

City of Idaho Falls
June 24, 1976

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-76-13

The General Services Division has received a firm bid of \$15,300.00 from G.T. Hydraulics to complete certain modifications to the City's Snow Loader. These modifications are to include the engineering, major components, necessary hardware and labor to convert the existing machine to a hydraulic system. This is also to include a new engine and hydrostatic transmission.

Thank you,
s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that the only bid from G.T. Hydraulics in the amount of \$15,300 for certain modifications to the snow loader be accepted. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the General Services Director was then presented:

City of Idaho Falls
June 24, 1976

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: IF-76-15

It is the recommendation of the General Services Division that the City Council accept the low bid of Ellsworth Brothers Dodge to furnish one (1) 1977 model 1 ton cab and chassis at \$5,359.00 with trade and one (1) 1977 model 1 ½ ton cab and chassis at \$7,190.00 without trade.

Thank you,
s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that the Ellsworth Brothers Dodge bids for the two cab and chassis, as described, be accepted. Roll call as follows: Ayes, 6; No, none; carried.

Still another memo from the General Services Director was submitted, to-wit:

City of Idaho Falls
June 24, 1976

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-76-12

It is the recommendation of the General Services Division that the City Council accept the low firm bid with trade-in on nine (9) 1977 model vehicles at a net price of \$41,503.00, from Ellsworth Brothers Dodge.

Thank you,
s/ Chad Stanger

JUNE 24, 1976

It was moved by Councilman Hovey, seconded by Freeman, that the nine 1977 vehicles be approved for purchase from Ellsworth Brothers Dodge as recommended for the price as indicated. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the General Services Director, this memo was presented:

City of Idaho Falls
June 24, 1976

TO: Honorable Mayor and City Council
FROM: Chad Stanger
SUBJECT: BID #IF-76-12

It is the recommendation of the General Services Division that the City Council accept the low bid with trade-in on three (3) 1976 model vehicles at a net price of \$12,892.85, from Stoddard Mead Ford.

Thank you,
s/ Chad Stanger

It was moved by Councilman Hovey, seconded by Freeman, that the bid from Stoddard Mead Ford for the three 1976 vehicles be accepted as recommended for the price as indicated. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls
June 24, 1976

ATTN: Honorable Mayor and City Council
FROM: Donald Lloyd
SUBJECT: OVER TIME PAY FOR SUPERVISORS

Mr. Bill Bissonette, State Coordinator for the FDAA has advised us that personnel who acted in supervisory capacity during the flood are eligible for normal and over time pay. This would include such personnel as the following:

Joseph A. Laird
Jeff Paine
Earl Chapple

Roger Searle
Eddie Cave
Wayne Wolfe

According to Mr. Bissonette, the Division Directors are specifically not eligible.

This subject has been discussed with the Public Works Committee and we are recommending that because of the unusual circumstances and the long hours, that these personnel be authorized over time pay.

Respectfully submitted,
s/ Don

Councilman Karst noted that the foregoing was not necessarily a complete list of the affected supervisors who would qualify. Karst continued by saying that he was recommending approval particularly because of the peculiar and unique nature of their additional work load during the flood, plus the commendable manner in which they performed. It was moved by

JUNE 24, 1976

Councilman Karst, seconded by Freeman, that this recommendation be approved as indicated. Roll call s follows: Ayes, 6; No, none; carried.

Anticipating from the agenda the annexation of the Lorin Anderson Addition, a final plat of that area was reviewed. It was moved by Councilman Campbell, seconded by Erickson, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

The annexation agreement between the City and the Lorin Anderson Addition developer was then presented. It was moved by Councilman Campbell, seconded by Erickson, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1459

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO.

The foregoing Ordinance was presented in title. It was moved by Councilman Campbell, seconded by Erickson, 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.

With reference to the foregoing annexation, it was moved by Councilman Campbell, seconded by Erickson, that this area be initially zoned as follows: Block 1, R-3A; Block 2, Lots 1, 2, 3, 4, 5 R-3A; Lot 6, R2-A; Lots 7, 8, 9, 10, R-2; Lots 11, 12, 13, 14, R-1, and further, that the Building Official be directed to incorporate said zoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Attorney was an addendum to an architect's agreement between the City and Sundberg and Associates, Architect for the new library building, whereby said architect would be made responsible for the landscaping around the library grounds. It was moved by Councilman Hovey, seconded by Freeman, that this agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

City Attorney Smith introduced the following resolution:

RESOLUTION (Resolution No. 1976-26)

Amendatory Agreement No. 2 to Contract No. 14-03-37022, Dated 6-15-76. (B.P.A. Contract, "Load Growth Formula" Amendment).

WHEREAS, the United States of America, Department of Interior, acting by and through the Bonneville Power Administration submitted to the City of Idaho Falls, Idaho, Purchaser, a written proposal dated 10-31-75 titled Amendatory Agreement No. 2 to Contract No. 14-03-37022, and

JUNE 24, 1976

WHEREAS, the City of Idaho Falls, Idaho, declined to execute said Amendatory Agreement as written, but by action of its City Council on April 14, 1976, at a regular Council meeting, approved said Amendatory Agreement, and the Mayor and City Clerk were authorized to execute the same on behalf of the City, with the addition of an Addendum thereto as follows:

“The assured energy capability of the City’s existing ‘resources’ as used in paragraph (i) of the amendatory agreement is defined and fixed as 2.4 megawatts, and, not with standing any other provision in Section 22 (a) 1 (i) contained, said assured energy capability assignment (2.4 megawatts) will not for any reason be increased at a future time.”, and

WHEREAS, the United States of America, acting as aforesaid, declined to execute said Amendatory Agreement No. 2 with said Addendum made a part thereof, but instead, following a change of conditions, redrafted said Amendatory Agreement No. 2 to Contract No. 14-03-37022 bearing date of 6-15-76, and resubmitted the same to the City of Idaho Falls, for its approval; and it appearing that said Amendatory Agreement No. 2, as redrafted under date of 6-15-76, is in all respects fair and equitable, and should be executed;

NOW THEREFORE, BE IT RESOLVED by the City of Idaho Falls, Idaho, as follows:

- (1) That the action of the City Council of April 14, 1976, approving Mandatory Agreement No. 2 to Contract No. 14-03-37022 dated 10-31-75; with said Addendum made a part thereof, and authorizing the execution of the same, be, and the same is hereby, rescinded in all things.
- (2) That Amendatory Agreement No. 2 to Contract No. 14-03-37022, dated 6-15-76 be, and the same is hereby, approved; and the Mayor and City Clerk are hereby authorized and directed to execute said document on behalf of said City and to deliver it to the Bonneville Power Administrator, or its agent, for execution on behalf of the United States of America.

Passed by the City Council and approved by the Mayor this 24th day of June, 1976.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

After some general discussion including an explanation by the City Attorney as to why this instrument was appropriated and in order, it was moved by Councilman Wood, seconded by Campbell, that this resolution be adopted and passed. Roll call as follows: Ayes, 6; No, none; carried. It was noted that, by passage of the foregoing resolution, the Mayor and City Clerk were authorized to sign Amendatory Agreement No. 2 to the B.P.A. Power Sales Contract No. 14-03-37022.

JUNE 24, 1976

Amendment No. 3 to the same B.P.A. Power Sales Contract was then introduced by this memo from the City Controller:

City of Idaho Falls
June 23, 1976

TO: Mayor S. Eddie Pedersen and City Council
FROM: John D. Evans, Controller
SUBJECT: BONNEVILLE POWER ADMINISTRATION BPA POWER SALES
CONTRACT NO. 14-03-37022, AMENDMENT NO. 3

At the time Esquire Acres was annexed the City purchased the electrical system of which \$90,768.48 was funded from General Funds of the City and the remainder from the Electric Light. This increased the investment of the City in the electrical facilities by \$90,768.48.

Attached is a preliminary amendment which states:

“Accordingly the parties hereby agree that effective as of 2400 hours on March 31, 1976, Section 3 of Contract No. 14-03-37022 is hereby further amended by deleting the reference to “\$9,000,000, and replacing it with \$9,091,000”.

The \$91,000.00 investment will return \$5,460.00 per year to the General Funds.

Steve Harrison and I have reviewed this proposal and recommend your approval and authorization for the Mayor and City Clerk to sign Amendment No. 3 to this contract upon completion of the final draft.

s/ John D. Evans

It was moved by Councilman Karst, seconded by Freeman, that this amendment be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Another memo from the Electrical Engineer was submitted, to-wit:

City of Idaho Falls
June 22, 1976

ATTN: Mayor and Council
FROM: Steve Harrison
SUBJECT: ENGINEERING SERVICES – LOWER PLANT DAM

The Electric Division requests authorization to contract with Ellsworth Engineering, Inc. to provide design, bid specifications and inspection for reconstruction of approximately 190 feet of the lower plant dam.

The work contemplated consists of access roadway, coffer dam, and dam construction. In addition, some minor repairs to concrete piers will be done. The pier repair is not the result of the flood, but should be done at this same time.

JUNE 24, 1976

It is planned that advertisement for bids will be accomplished by August – September of this year. Construction should be completed before freezing weather this fall.

The estimated cost of these services is \$30,000.00.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Campbell, that this proposal from Ellsworth Engineering for engineering services for flood damage repair to the lower power plant dam be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Finally, from the Electrical Engineer, this memo was forthcoming:

City of Idaho Falls
June 18, 1976

ATTN: Mayor and Council
FROM: Steve Harrison
SUBJECT: REQUEST FOR ENGINEERING SERVICES

The Electric Division requests authorization to retain the consulting firm of CH2M-Hill for miscellaneous services with respect to BPA and PPC activities. This should reduce City travel expenses to the Portland-Seattle area.

CH2M-Hill is represented at all PPC meetings and are in a position to keep us informed to decisions that directly affect the City regarding contracts and power supply. Primarily, this request will provide for the payment of telephone calls, data gathering, and mail service.

The 1976 budget contains \$500.00 for such service.

s/ Steve Harrison

It was moved by Councilman Wood, seconded by Campbell, that this Engineering Services Agreement between the City and CH2M-Hill be accepted for the reason as stated and the Mayor be authorized to sign the City's approval. Roll call as follows: Ayes, 6; No, none; carried.

At the request of the Mayor, this letter was read aloud by the City Clerk:

June 14, 1976

Dear Sir:

We can only imagine the 1,001 jobs facing you right now and will make this note short as I know your time has many demands on it. We saw a newscast showing Idaho Falls after the recent dam break. The newscaster mentioned that the citizens of Idaho Falls were really "banding together"! Now that **is** the spirit of 1776. Please accept our check to be used toward the most urgent need you know of.

s/ Pat & Don Taylor
1256 Pasadena
Atlanta, Georgia 30306

JUNE 24, 1976

It was noted that, attached to said letter was a check in the amount of \$20.00. At the direction of the Mayor, the City Clerk was authorized to turn the letter and the check to the City Treasurer who, working with the Mayor, would determine its proper and worthy disposition.

The Mayor re-appointed J. Allen Jensen as a member of the Community Redevelopment Commission. It was moved by Councilman Karst, seconded by Freeman, that this appointment be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney presented a quit claim deed which would convey certain City owned lands to the Idaho Falls Community Redevelopment Commission, said lands being legally described as follows:

Beginning at the southeast corner of Lot 9, Block 1, Original Town- site of Eagle Rock, now the City of Idaho Falls, Idaho, and running thence N 28°49'23" E a distance of 84.22 feet to a point on a 616.78 foot radius curve (concave to the southwest whose 137.69 chord bears n 54°42'38" W) thence along said curve a distance of 137.98 feet, thence N 61°07'13" W a distance of 31.36 feet to a point on a 470.00 foot radius curve (concave to the east whose 36.56 foot chord bears S 7°53'36" W) thence along said curve a distance of 36.57 feet, thence S 5°40'15" W a distance of 71.36 feet, thence S 61°10'37" E a distance of 127.06 feet to the TRUE POINT OF BEGINNING and containing 14,079.3 square feet.

It was moved by Councilman Karst, seconded by Freeman, that authorization be granted for the Mayor and City Clerk to sign. Roll call as follows: Ayes, 6; No, none; carried.

At the invitation of Councilman Campbell, Rolph Lines from the Building and Zoning Division appeared briefly to report that there has been a recent surge of requests for temporary placement of trailer houses within the City from such agencies as H.U.D. and the Red Cross. Lines explained that these were motivated from these agencies because of their interest, duties and responsibilities in connection with the recent flood. He said the length of time that these temporary quarters would be needed was not known at this time. Councilman Freeman registered an opinion to the effect that the Council could not give blanket approval to such a series of requests. He said it would seem more in order to handle individual requests as they were made. Councilman Hovey said that, in his opinion, even if such permission were granted by the Council, a six months period for said temporary placement should suffice. Councilman Karst said that he would be opposed to blanket approval on the grounds that this could conceivably result, to some degree at least, in loss of control and that tenancy of said trailer houses could change without the City's knowledge or consent. It was moved by Councilman Erickson, seconded by Campbell, that Building Administrator Gilchrist be authorized to handle this matter on a discretionary basis for a 30 day period and that if unforeseeable problems were to arise during or at the end of that period the matter should again be brought to the City Council for consideration. Roll call as follows: Ayes, 6; No, none; carried.

With reference to the foregoing Council action, Public Works Director Lloyd appeared briefly to ask if these temporary locations should, upon request, be served with water and sewer. It was the general consensus of the City Council that these requests, when and if received, should be referred to the Council's Public Works Committee for appropriate consideration.

JUNE 24, 1976

Councilman Wood introduced a damage survey report furnished the City by the Federal Disaster Assistance Administration, having to do with flood damage to the City's generation system, noting that some City Official of authority should be designated to sign. Councilman Karst asked for clarification as to whether the signature on this form bound the City to the amount as listed and further, whether a repayment method would be selected on each individual claim. Asked for comment, Public Works Director Lloyd stated that the individual damage reports submitted by the various City Divisions will be consolidated by F.D.A.A. and the combined total will constitute a single claim and, at that point, the City Council must elect one of the repayment methods. It was moved by Councilman Wood, that this matter be referred to the City Attorney for study and recommendation. This motion died for lack of a second. It was moved by Councilman Karst, seconded by Erickson, that BCOG Director Gilchrist, previously designated as the City's Flood Disaster Coordinator, be authorized to sign all damage survey reports, subject to the concurrence of the appropriate Division Director. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson drew attention to the need for a stop sign to be installed at the intersection of Cambridge and John Adams Parkway. It was moved by Councilman Erickson, seconded by Karst, that this be referred to the Traffic Safety Committee for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Karst noted there was a good likelihood that the City's liability insurance cost might rise substantially within the next year even to the point, possibly, to tripling. It was moved by Councilman Karst, seconded by Freeman, that authorization be granted to advertise for bids on this service. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Karst introduced this resolution:

R E S O L U T I O N (Resolution No. 1976-27)

A RESOLUTION ESTABLISHING AND ADOPTING A COMPREHENSIVE EMPLOYEE SALARY PLAN FOR THE CITY OF IDAHO FALLS; PROVIDING THAT THE PLAN SHALL BE USED AS A GUIDE ONLY, AND SHALL NOT BE CONSTRUED AS GRANTING ANY NEW RIGHTS TO ANY PERSON, OR PERSONS, WHOMSOEVER; INCORPORATING INTO SAID PLAN THREE SECTIONS DENOMINATED "JOB DESCRIPTIONS", "CLASSIFICATION SCHEDULES", AND "PAY GRADES"; PROVIDING THAT SAID PLAN SHALL NOT APPLY TO PERSONNEL WHOSE SALARIES OR COMPENSATION IS GOVERNED BY LABOR UNION CONTRACTS, OR EXEMPT UNDER PROVISIONS OF THE PLAN.

WHEREAS, IT IS DEEMED NECESSARY THAT THE CITY OF IDAHO FALLS ESTABLISH A COMPREHENSIVE EMPLOYEE SALARY PLAN TO FACILITATE ORDERLY ADMINISTRATION OF FISCAL MATTERS AND MANAGEMENT AFFAIRS OF ITS EMPLOYED PERSONNEL.

NOW THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO:

JUNE 24, 1976

1. That the comprehensive employee salary plan for the City of Idaho Falls, on file in the office of the Personnel Director for the City of Idaho Falls, and consisting of "Job Descriptions", "Classification Schedules", and "Salary Pay Grades" be, and the same is hereby established and adopted as of January 1, 1976.
2. That said Comprehensive Employee Salary Plan shall be used as a guide only in the orderly administration of fiscal matters and management affairs of its personnel, and shall not be construed as granting to any person, or persons, any contract rights whatsoever. Any provision of the Comprehensive Employee Salary Plan notwithstanding, all salaries and compensation of all personnel shall remain subject to the approval of the Mayor and City Council and subject to the limitations of the applicable budgets and appropriation ordinances of the City of Idaho Falls.
3. That said Comprehensive Employee Salary Plan shall apply to all employed personnel of the City of Idaho Falls except personnel whose salaries or compensation is governed by labor union contracts, or exempt under provisions of the plan.
4. That every position of permanent employment by the City of Idaho Falls shall have a job description. As and when new positions of employment are created or existing classifications are reevaluated the Personnel Director, with the assistance of, and in collaboration with, the appropriate Division Director shall cause a job description and classification for that position of employment to be prepared and incorporated into the Comprehensive Employee Salary Plan. Each job description shall be classified after standard evaluation techniques.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR THIS
24th DAY OF JUNE, 1976.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

Karst commented to the effect that Division Heads had been working on this comprehensive employee salary plan, commonly referred to as a step-grade program, for 14 months and, if adopted, would serve as an incentive program for non-union employees over and above annual cost of living general increases and longevity pay. He said each step raise, at the proper time, would require the usual personnel action and would also require at that time the approval of the Division Director. He noted that, if approved, it would be retroactive to January 1st, 1976 and the affected employee would receive a step increase in accordance with the hourly step schedule at the time of his anniversary which, for purposes of personnel action, would be the date the employee assumed his present work duties. Karst continued by saying that this program, generally speaking, was patterned after ones now in effect for State and County employees. He said that, under this plan, the employee would be able to determine his future progress, irrespective of what other wage benefits he might experience by virtue of general increases and/or promotions involving changed work duties. He said the starting point would be the closest upward step to the employee's present hourly rate. Karst concluded his remarks by saying that the plan, as it unfolds and becomes operative, will undoubtedly reveal certain inequities which could be corrected by plan revision where

JUNE 24, 1976

deemed justifiable and in order. Councilman Freeman said that he was in favor of the plan, as outlined, but was concerned that all employees have an opportunity to peruse it and, thus, urged all Division Directors to make every effort toward complete circulation with proper explanation. Councilman Campbell concurred, particularly as it might not get full circulation down at the lower echelon of City employees. He said he felt quite certain that this had not materialized to date and, like Freeman, strongly urged Division Directors to make a special effort toward this end. Campbell concluded his remarks by saying that, just for purposes of illustration, the difference in anniversary dates, in itself, could create misunderstanding unless properly explained that this was only a temporary inequity which would be eliminated after the plan had been in effect for one year. It was moved by Councilman Karst, seconded by Freeman, that the foregoing Resolution be adopted and passed 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 Freeman, seconded by Hovey, that the meeting adjourn at 9:10 P.M., carried.

ATTEST: s/ Roy C. Barnes
City Clerk

s/ S. Eddie Pedersen
Mayor

* * * * *