

**JULY 8, 1976**

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The City Council of the City of Idaho Falls met in recessed regular meeting, Thursday, July 8, 1976, at 7:30 P.M. in the City Council Chambers in Idaho Falls, Idaho. There were present at said meeting: Mayor S. Eddie Pedersen; Councilmen Ralph Wood, Gil Karst, Paul Hovey, Jim Freeman, and Mel Erickson. Absent: Councilman Tom Campbell. Also present; Velma Chandler, Deputy City Clerk; Arthur Smith, City Attorney; Rod Gilchrist, Building Administrator; Steve Harrison, Electrical Engineer; Chad Stanger, General Services Director; Bob Pollock, Police Chief; Lorna Coughlin, City Treasurer; Donald Lloyd, Public Works Director.

Minutes of the last recessed regular meeting, held June 24, 1976 were read and approved.

The Mayor invited Battalion Chief Earl Danielson to escort Captain Chris Jockumsen to the Council table. The Mayor commended Captain Jockumsen for his 25 years of dedicated service in the Fire department and the community. He also commended Jockumsen for reportedly knowing the location of every fire hydrant in the County. The Mayor then presented Jockumsen with an inscribed billfold and wished him well in his retirement. Captain Jockumsen then received congratulatory handshakes from all City Officials around the Council table.

The Mayor then invited General Services Director Stanger to escort Wes Davis to the Council table. The Mayor noted that Mr. Davis has been a mechanic at the City Garage for 9 years, specializing in the repair and maintenance of lawn mowers and small motors. The Mayor presented Davis with an inscribed billfold and wished him well during his years of retirement. Mr. Davis then received congratulatory handshakes from all City Officials around the Council table.

The Mayor acknowledged Mr. Ed Browning who was present in the Council Chambers to report on the Red Baron Air Show, scheduled for July 24<sup>th</sup> and 25<sup>th</sup>. Mr. Browning introduced Darrell Greemaynear and Bob Fahlerity, test pilots who would be here in Idaho Falls on the above mentioned days in an attempt to break world speed records. They displayed several pictures of planes that they would be using in this air show. Mr. Browning said that there would be several United States dignitaries present at said air show. He asked that the Mayor and Council fully understand that he was in no way affiliated with the concessions for said show in case of complaints of any kind about the concessions.

Councilman Erickson asked Mr. Browning if he was getting the cooperation he needed from involved personnel and Mr. Browning answered in the affirmative. Mr. Browning said he wanted assurance that the Mayor and City Council would lend their moral support to the show. It was moved by Councilman Wood, seconded by Hovey, that it be made a matter of record that the Mayor and City Council would lend their moral support to the show. It was moved by Councilman Wood, seconded by Hovey, that it be made a matter of record that the Mayor and City Council would approve the concept and give moral support to the Red Baron Air Show scheduled for July 24<sup>th</sup> and 25<sup>th</sup>. Roll call as follows: Ayes, 5; No, none; carried.

Bills for the month of June, 1976, having been properly audited by the Fiscal Committee, were presented. The City Clerk read all fund totals for salaries, materials and services, as follows:

<b><u>FUND</u></b>	<b><u>SERVICE AND MATERIALS</u></b>	<b><u>GROSS PAYROLL</u></b>	<b><u>TOTAL EXPENDITURE</u></b>
General Fund	\$356,717.099	\$312,764.04	\$669,481.13
Street Fund	44,015.21	24,515.52	68,530.73
Airport Fund	2,988.92	6,156.37	9,145.29
Water and Sewer Fund	128,679.36	37,461.58	166,140.94
Electric Fund	138,393.03	56,077.86	194,470.89
Recreation Fund	4,349.08	6,380.47	10,729.55
General Library	2,444.02	10,928.47	13,372.49

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Regular Library	172.47	778.29	950.76
Revenue Sharing	4,253.08	.00	4,253.08
Community Development	23,641.83	738.40	24,380.23
Flood	<u>2,434.07</u>	<u>.00</u>	<u>2,434.07</u>
<b><u>TOTALS</u></b>	<b><u>\$708,088.16</u></b>	<b><u>\$455,801.00</u></b>	<b><u>\$1,163,889.16</u></b>

**LIBRARY CONSTRUCTION EXPENDITURES**  
**BONDS AUTHORIZED**  
**\$2,677,000.00**

See page 361 in this book of minutes for expenditures through May, 1976

6-21-76	Mitchell Construction Co. Construction Est. #8	\$228,729.09	\$1,008,755.60
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Councilman Karst explained all major expenditures. It was moved by Councilman Karst, seconded by Freeman, that the bills be allowed and the City Controller be authorized to issue warrants on the respective funds for their payment. Roll call as follows: Ayes, 5; No, none; carried.

Reports from Division and Department Heads were presented for the month of June, 1976, and there being no questions nor objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT, Pizza Shop, Jay's, Idaho Falls Chamber of Commerce (concession); JOURNEYMAN ELECTRICIAN, Richard Judy, Dan Hofeling, Dean Gibson; CLASS C JOURNEYMAN, WA, R.D. Stedtfeld; FIREWORKS, Colleen Gregory, James Cox, Brad Hall (2); BARTENDER, Vicki Mooney, Kathy Allen, Margo Cherry, Brett Stewart, Jane Kristen Reich, Jeffrey James Viggers, Darlene Rackham, Gary Bingham, Howard Thorsted 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, 5; No, none; carried.

The City Clerk reported that on July 1, 1976, in the interests of time, she had issued a liquor catering permit for one day only, July 2, to Bonneville Hotel Lounge to serve liquor by the drink at the open house of the Science Center. This was done without formal Council authorization, but with the approval of the Chief of Police. It was moved by Councilman Erickson, seconded by Karst, that this action be ratified. Roll call as follows: Ayes, 5; No, none; carried.

Another matter requiring Council ratification was the publishing of a legal notice calling for a zoning hearing scheduled for July 22, 1976. It was noted by the City Clerk that said legal notice was being published without formal Council approval. It was moved by Councilman Freeman, seconded by Karst, that this action also be ratified. Roll call as follows: Ayes, 5; No, none; carried.

This resolution was then presented by the City Clerk:

**DESIGNATION OF APPLICANT'S LOCAL AGENT**  
**R E S O L U T I O N (Resolution No. 1976-28)**

BE IT RESOLVED BY the Mayor and City Council of the City of Idaho Falls, that William R. Gilchrist, Director of Bonneville Council of Governments, 308 C. Street, Idaho Falls, Idaho is hereby authorized to execute for and in behalf of the City of Idaho Falls, a public entity established under the laws of the State of Idaho this application and to file it in the appropriate State

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office for the purpose of obtaining certain Federal financial assistance under the Disaster Relief Act (Public Law 288, 93<sup>rd</sup> Congress) or otherwise available from the President's Disaster Relief Fund.

THAT the City of Idaho Falls, a public entity established under the laws of the State of Idaho, hereby authorizes its agent to provide to the State and to the Federal Disaster Assistance Administration (FDAA) Department of Housing and Urban Development (HUD) for all matters pertaining to such Federal Disaster assistance the assurances and agreements printed on the reverse side hereof.

Passed and approved this 8<sup>th</sup> day of July, 1976.

s/ Gilbert Karst  
Councilman

s/ S. Eddie Pedersen  
Mayor

s/ James R. Freeman  
Councilman

It was moved by Councilman Karst, seconded by Freeman, that this resolution be adopted and that the Mayor and Councilmen Karst and Freeman be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Building Administrator was presented:

City of Idaho Falls  
July 8, 1976

MEMORANDUM

TO: Mayor and City Council  
FROM: Rod Gilchrist  
SUBJECT: REQUEST TO ABANDON EASEMENT

This office has received a request to abandon an easement between Lots 7 & 8, Block 3, John Heights Addition, Division No. 5. This being requested by a property owner to permit the construction of a larger house than would be permitted if the easement remained.

This request has been reviewed by City Engineering, Electric Department, Intermountain Gas Company and Mountain Bell. No utilities are located in the easement and there are no objections to the request. The Department recommends that the request be granted.

This matter is now being submitted to the Mayor and City Council for your consideration.

s/ Rod Gilchrist

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Councilman Erickson asked the City Attorney if a vacating ordinance was necessary on this matter and was answered in the affirmative. Therefore, it was moved by Councilman Erickson, seconded by Wood, that the City Attorney be authorized to prepare an ordinance to abandon the area as described and that said ordinance then be presented to the Council for consideration. Roll call as follows: Ayes, 5; No, none; carried.

Anticipating annexation of Montcliffe Estates, Division #3, a final plat of that area was presented. It was moved by Councilman Erickson, seconded by Wood, that this plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

An annexation agreement between the City and the developer of Montcliffe Estates, Division #3 was then presented. It was moved by Councilman Erickson, seconded by Wood, that the agreement be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

**ORDINANCE NO. 1460**

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 Erickson, seconded by Wood, 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, 5; 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, 5; No, none; carried.

With reference to the foregoing annexation, it was moved by Councilman Erickson, seconded by Wood, that it be initially zoned as follows: Block 3, Lots 9, 10, 11, 12, 13, R-1; Block 4, Lot 1, R-3A; Lot 2, 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, 5; No, none; carried.

From the Public Works Director came this memo:

City of Idaho Falls  
July 8, 1976

TO: Mayor and City Council  
FROM: Donald Lloyd  
SUBJECT: AUTHORIZATION TO ADVERTISE FOR A BOX CULVERT

We are nearly completed with plans and specification for a box culvert for Hemmert Avenue across Willow Creek.

We are requesting authorization for the City Clerk to advertise for competitive bids.

Respectfully submitted,  
s/ Don

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It was moved by Councilman Karst, seconded by Freeman, that authorization be granted to advertise for bids on the project as indicated. Roll call as follows: Ayes, 5; No, none; carried.

Also from the Public Works Director came this memo:

City of Idaho Falls

TO: Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: 1976 SEAL COATING – PROJECT 4A-34

On July 6, 1976, two bids were received for the seal coating of City streets as follows:

1.	Burggraf Construction	\$78,534.90
2.	H-K Contractors	87,261.00

These bids have been reviewed and we would recommend that the City Council award the contract to the low bidder, Burggraf Construction Company in the amount of \$78,534.90. For information purposes, the unit price of this seal coating amounts to about \$.46 per square yard as compared with \$.40 per square yard last year.

s/ Don

It was moved by Councilman Karst, seconded by Freeman, that the low bid of Burggraf Construction in the amount as indicated be accepted for the project as described. Roll call as follows: Ayes, 5; No, none; carried.

Still another memo from the Public Works Director was submitted, as follows:

City of Idaho Falls  
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TO: Mayor and City Council  
FROM: Donald F. Lloyd  
SUBJECT: AUTHORIZATION TO ADVERTISE FOR WATER MAIN  
INSTALLATION

We are nearly completed with plans and specifications for the installation of a water main on Woodruff Avenue from First Street north to Garfield.

We are requesting authorization for the City Clerk to advertise for competitive bids.

s/ Don

It was moved by Councilman Karst, seconded by Freeman, that authorization be granted to advertise for bids on this project as described. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Public Works Director, this memo was forthcoming:

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City of Idaho Falls  
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TO: Mayor and City Council  
FROM: Donald Lloyd  
SUBJECT: AGREEMENT L.D. NO. 23524 – UNION PACIFIC RAILROAD

As per our request, the Union Pacific Railroad has furnished two copies of a Pipe Line Agreement which are attached hereto. This Agreement covers our water main crossing of the railroad at Nineteenth Street and Leslie Avenue. The agreement requires a payment of \$150.00. We would recommend that the Mayor and City Clerk be authorized to sign.

In addition, we are requesting authorization for the City Clerk to advertise for competitive bids for the installation of the water line.

Respectfully submitted,  
s/ Donald F. Lloyd

It was explained that this railroad agreement, L.D. No. 23524, covered an 8" water pipe line crossing under the railroad tracks at the intersection of the railroad and West 19<sup>th</sup> Street. It was moved by Councilman Karst, seconded by Freeman, that the Mayor and City Clerk be authorized to sign this agreement and the Controller, in turn, be authorized to issue a warrant in favor of the railroad in the amount of \$150.00 as required. Roll call as follows: Ayes, 5; No, none; carried.

With reference to the foregoing memo, it was moved by Councilman Karst, seconded by Freeman, that authorization be granted to advertise for bids on the water line as indicated. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Electrical Engineer was presented:

City of Idaho Falls  
July 7, 1976

ATTN: Mayor and Council  
FROM: G. S. Harrison  
SUBJECT: TRANSFER OF CUSTOMERS

There are 13 Utah Power & Light Company electrical accounts, lighted signs, and some security lighting on South Yellowstone Highway. These customers are in the City limits and have requested City electrical service.

Utah Power has verbally agreed to the customer transfer. They have suggested that the City make the transfer now and a certified billing will be prepared later.

The estimated cost of the transfer is \$15,000 to \$20,000. There is approximately \$25,000 in the 1976 budget for this purpose.

s/ G. S. Harrison

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It was moved by Councilman Wood, seconded by Karst, that the transfer and purchase of these accounts from Utah Power and Light be authorized as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Introduced by Councilman Wood was a contract between the City and International Engineering Company. Wood explained this was a cost-plus contract for the economic and feasibility study of the upper and City power plants. Also, continued Wood, it included a study for the possible relocation of one or two upper plant turbines to the lower plant. Wood concluded his remarks by saying that, in the event ERDA should request an energy proposal for participation purposes, International Engineering should be authorized to prepare the report. It was moved by Councilman Wood, seconded by Karst, that this contract be accepted, that the Mayor and City Clerk be authorized to sign and that International Engineering be given authorization to prepare said report, as if and when requested. Roll call as follows: Ayes, 5; No, none; carried.

Anticipating introduction of Nuclear Projects Nos. 4 and 5 Participant's Agreement from the Washington Public Power Supply System, Councilman Wood called on Electrical Engineer Harrison for explanatory comment. Harrison first explained the need for said participants' agreement by saying that BPA had recently issued the City an insufficiency notice which, in effect, means that that agency, beyond July of 1983, would not be responsible for supplying energy for additional City load growth over and above an allocation which would be determined at that time. Therefore, it would appear essential that this City must look elsewhere for power. This was anticipated some months back, according to Harrison, by the signing of an option agreement with WPPSS for a portion of the future output of Nuclear Projects Nos. 4 and 5, thus obliging the City at that time in the approximate amount of \$1,000,000. The estimated cost of these projects is \$2.5 Billion and, if the City were to enter into this agreement in question, the City's liability, remaining at about 1%, could thus increase to about \$25,000,000 upon completion of both projects.

At this time the Mayor interceded by commenting to the effect that the City would expect to satisfy said obligation over an extended period of time through the purchase of power from these projects. Councilman Wood then commented to the effect that the City's load had doubled throughout the past ten years and there was a strong likelihood that this trend would continue and therefore, in his opinion, acceptance of this agreement was imperative. Councilman Wood then introduced this Resolution:

**R E S O L U T I O N (Resolution No. 1976-29)**

A RESOLUTION authorizing the execution and delivery of Participant's Agreements with Washington Public Power Supply System relating, among other things, to Washington Public Power Supply System Nuclear Projects Nos. 4 and 5.

On July 22, 1975, the City of Idaho Falls, Idaho, (the "City") and the Washington Public Power Supply System (the "Supply System") ENTERED into an agreement entitled "Washington Public Power Supply System Nuclear Projects Nos. 4 and 5 and Skagit Project - Agreement for Option to Enter Participants' Agreement, Reservation of Project Capability and Performance of Services" (the "Option Agreement"). Pursuant to said Agreement the Supply System, among other things, granted the City an option to enter into the Participant's Agreement hereinafter referred to. Pursuant to Section 3 (d) of the Option Agreement the Supply System has timely delivered to the City (i) signatory copies of the Participants' Agreement, dated April 15, 1976, and entitled "Washington Public Power Supply System Nuclear Projects Nos. 4 and 5

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– Participants’ Agreement” and (ii) a notice affording the City the opportunity to execute and deliver the Participants’ Agreement within 90 days after delivery of said notice. In compliance with the provisions of the Option Agreement, the Participants’ Agreement provides for the sale by the Supply System to the City of a share of the capability of (i) the Supply System’s Nuclear Project No. 4, which will be solely owned by the Supply System, and (ii) the Supply System’s ownership share of its Nuclear Project No. 5, which will be 90% owned by the Supply System and 10% owned by the Pacific Power and Light Company.

Pursuant to the Option Agreement, prior to delivery to the City of the Participants’ Agreement and the aforesaid notice, the Executive Committee of the Public Power Council (the “PPC”) reviewed said documents. The PPC also requested the Supply System to proceed with the Participants’ Agreement.

In connection with the Participants’ Agreement the Supply System has prepared a draft of “Bond Resolution”, which resolution provides, among other things, for the issuance of bonds in series or otherwise, and is entitled:

A RESOLUTION PROVIDING A PLAN AND SYSTEM FOR THE ACQUISITION AND CONSTRUCTION BY WASHINGTON PUBLIC POWER SUPPLY SYSTEM OF A NUCLEAR GENERATING PLANT TO BE KNOWN AS WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR PROJECT NO. 4 AND THE CONSTRUCTION BY SAID SYSTEM OF A NUCLEAR GENERATING PLANT TO BE KNOWN AS WASHINGTON PUBLIC POWER SUPPLY SYSTEM NUCLEAR PROJECT NO. 5 AND THE ACQUISITION BY SAID SYSTEM OF AN OWNERSHIP INTEREST THEREIN; AND PROVIDING FOR THE ISSUANCE OF REVENUE BONDS FOR SAID PURPOSES.

A copy of the draft dated April 12, 1976, of such resolution (referred to in Section (d) of the Participants’ Agreement) is on file with the City. Any Bond Resolution as adopted by the Supply System subsequent to the execution of the Participants’ Agreement will be substantially in the form of said draft of Bond Resolution and consistent with the Participants’ Agreement.

In connection with the Participants’ Agreement the Supply System, has also prepared a draft of an agreement entitled “Washington Public Power Supply System Nuclear Project No. 5 Agreement” (the ownership agreement) to be executed with the Pacific Power & Light Company, and a copy of a draft dated April 15, 1976, of said agreement is on file with the City.

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The Council has reviewed the Participants' Agreement, the Ownership Agreement and the Bond Resolution above referred to, and has considered the environmental, technical, economic and other factors and studies relevant to this Resolution.

THEREFORE, IT IS RESOLVED:

Section 1. The Mayor and City Clerk are hereby authorized and directed, on behalf of the City, to execute with the Supply System the Participants' Agreement above referred to, substantially as set out in the draft thereof, dated April 15, 1976, on file with the City and to deliver copies thereof to the Supply System; provided, however, that the City's Preliminary Share as shown in Column 1 on Exhibit A to such Agreement may be increased up to a maximum of .0114.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE  
MAYOR THIS 8<sup>TH</sup> DAY OF JULY, 1976.

ATTEST: s/ Roy C. Barnes  
City Clerk

s/ S. Eddie Pedersen  
Mayor

The motion was made by Councilman Wood, seconded by Councilman Karst, that such resolution be adopted. The motion passed by the following vote: For, five; against, none. The resolution was thereupon declared duly adopted and ordered filed in the records of the City.

Councilman Erickson relayed to the Mayor and Councilmen several commendations received from certain parties, relative to the condition and excellent maintenance of Tautphaus Park during the holiday weekend. Erickson expressed appreciation to the Parks Department for their fine care of said park.

Councilman Freeman commented about the recent untimely deaths of Wayne Hammond and Bill McFarland. He registered an expression to the effect that both of these men would be greatly missed by the community. It was moved by Councilman Freeman, seconded by Erickson, that the Mayor be authorized to write letters of condolence to both families. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Karst, seconded by Freeman, that the meeting adjourn at 8:50 P.M., carried.

ATTEST: s/ Velma Chandler  
Deputy City Clerk

s/ S. Eddie Pedersen  
Mayor

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