

JUNE 10, 1971

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The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a Regular Meeting on Thursday, the 10<sup>th</sup> day of June, 1971, at the hour of 7:30 o'clock at the City Council Chambers in the City Hall in the City of Idaho Falls, Idaho; due and legal notice of said meeting having been given as required by law and the rules and ordinances of the City.

On roll call the following members, constituting a quorum, were present: Mayor S. Eddie Pedersen; Councilmen Jim Freeman, Dale Parish, Gordon Nelson, Paul Hovey, Melvin Erickson, and Jack Wood, Jr. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Rod Gilchrist, City Planner; Lorna Coughlin, City Treasurer; Ernie Craner, Parks & Recreation Director; Don Lloyd, Public Works Director; Joe Laird, City Engineer.

Minutes of the last Recessed Regular Meeting, held May 27<sup>th</sup>, 1971, and a Special Meeting held June 8<sup>th</sup>, 1971, were read and approved.

The Mayor announced that this was the time and the place for a public hearing, as advertised, to receive and consider protests and other communications, written or oral, relative to the establishment and creation of L.I.D. #44, commonly referred to as the street improvement district. The Mayor first called upon City Engineer Joe Laird to explain the various engineering facets of the proposed district. By the use of a slide projected on a screen, Laird pointed out the affected areas consisting of certain street, alley, curb, gutter and sidewalk improvement, spotted throughout the City. Laird then explained the estimated cost of \$257,500 to be derived from \$209,600, private property assessment; \$19,100, City property assessment; \$28,800, City participation for street and alley intersections. Next, Laird presented the proposed property assessment rates as follows: curb and gutter, \$3.60 per lineal foot; street paving, .50¢ per square foot; 4" sidewalk, .75¢ per square foot; 6" sidewalk, .90¢ per square foot; alley gutter, \$3.35 per lineal foot; alley paving, .50¢ per square foot. For purposes of illustration, Laird noted that a typical 100' lot assessment requiring curb and gutter, 21.5' street paving and a 4" X 6' sidewalk was calculated at \$1,885.00 and a typical alley assessment was calculated at \$635.00. Finally, Laird explained the method of assessment including end or side street assessments.

The Mayor then asked the City Clerk to present and read aloud all written protests, as follows:

June 10, 1971

Mayor Pedersen & City Council

Gentlemen:

I am against paving sidewalks on West 21<sup>st</sup> Street between Rollandet and Leslie Avenues. This is commercial area where there is no pedestrian traffic at all. Also, consider the fact that West 21<sup>st</sup> Street ends at Leslie Avenue. It doesn't extend any farther west. The Utah Power pole yard is in front of it.

I am not opposed to the street paving, but I certainly think it is a waste of taxpayers and City money to put in expensive sidewalks on West 21<sup>st</sup> Street. If individual property owners wanted or needed a sidewalk it could be put in much cheaper by private contract. The

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estimated costs seem awful high. A sidewalk for my 125 ft. frontage would amount to \$675.00 at .90¢ per square ft., which is a terrific price.

Mr. Ivan Elder agrees with me on being opposed to the sidewalks, as he stated in the Thursday night, June 12<sup>th</sup> Meeting. I trust you will give this matter your careful consideration.

Very truly yours,  
s/ L. E. Andelin  
130 Tautphaus

P.S. This paving, doubtless will raise taxes on the property. An added burden plus paving costs.

P.S.S. I put the sewer line in Block 42 years ago.

s/ L. E. Andelin

Blasius Brothers, Inc.  
June 3, 1971

Roy C. Barnes  
City Clerk  
Idaho Falls, Idaho

Dear Mr. Barnes:

Regarding the replacement of sidewalks on Block 36, Crows Addition, Lots 21, 32, 33.

We do not wish to have this sidewalk replaced, since within the last three years, we have replaced at our own expense, the broken part of our sidewalk including a new driveway apron and sidewalk.

Yours truly,  
s/ C. J. Blasius

Office of the Prosecuting  
Attorney, Bonneville Cty.  
State of Idaho  
June 10, 1971

Roy C. Barnes, City Clerk  
City of Idaho Falls

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City Hall  
Idaho Falls, Idaho

RE: LOCAL IMPROVEMENT DISTRICT NO. 44

Dear Roy:

The Board of County Commissioners of Bonneville County has directed this office to write to you concerning the objections of Bonneville County, Idaho, to the inclusion of County property within the proposed Local Improvement District #44. Particularly, the County objects to the inclusion of Lots 13 to 24, inclusive, of Block 39, South Idaho Falls Addition. This parcel of property is presently owned by Bonneville County. At the time that the Mayor and City Council hear protests to the creation of a Local Improvement district they are authorized, pursuant to 50-1715 of the Idaho Code to eliminate any property that should not be assessed.

This request is made based upon the rule announced in the case of Reynard v. City of Caldwell, et al., 53 Idaho 62, 21 P. 2d 527 (1933). That case states that public property is not liable for special assessments for Local Improvement District purposes unless the Local Improvement District code specifically authorized inclusion of the public property within the Local Improvement District. In this instance, it appears that the Local Improvement District code does not call for the inclusion of public property within the district.

Would you please advise me at your very first convenience of the action that is taken by the City Council and Mayor upon this request for exclusion.

Sincerely,  
s/Seward H. French  
Prosecuting Attorney

151 10<sup>th</sup> Street  
Idaho Falls, Idaho  
June 5, 1971

Mr. Roy C. Barnes  
City Hall  
Idaho Falls, Idaho

Dear Sir:

My 75 feet of sidewalk on the 100 Block of Tenth Street - Block 36, Lots 34, 35, 36 - is in good shape. So I am filing this objection to having it replaced.

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Respectfully,  
s/ Ethel A. Boyes

June 7, 1971  
Idaho Falls, Idaho

Mr. Roy C. Barnes, City Clerk  
Idaho Falls, Idaho

RE: RAPPLEYE ADDITION, LOT NO. 7, BLOCK 2, LOT NO. 6, BLOCK 2

Dear Mr. Barnes:

This is in protest of the City approved Resolution Number 1, which would provide for improvements on the above captioned lots in the form of sidewalks.

We, James O. Ockerman and Albert B. Charboneau, as owners of these properties, request that this letter be presented to the Mayor and City Council as a protest against the establishment of said improvements.

Thank you.

Sincerely,  
s/ Mrs. James Ockerman  
s/ Mr. Albert Charboneau

To: City Council

I would like to protest against paving and curbs on Lots 7 & 8, Block 12, South Park Addition.

We just can't make it with the raise in taxes and everything is so high.

s/ Lester D. Clark  
420 W. 16<sup>th</sup> Street

Mayor and City Council

I would like to protest against paving and curbs on West 16<sup>th</sup> - Lots 18 to 23 - Block 12, South Park Addition.

The taxes are so high right now. I can't seem to get them caught up. If I don't get them paid by July, they will be sold for taxes. Besides the 3 Lots 21, 22, 23. You can't even get the sewer

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and water to them. So before you improve that street, I think something should be done about that first. I don't think this letter will do any good but something should be done first about sewer and water besides I can't afford to pay for it.

Thank you,  
s/ Mildred Clark  
477 W. 16<sup>th</sup> Street

Sharp, Anderson & Bush  
June 9, 1971

S. Eddie Pedersen  
City of Idaho Falls  
Idaho Falls, Idaho 83401

Dear Mayor Pedersen:

This letter is written to you in behalf of Alex D. Creek, the owner of Lots 36 to 39, inclusive, Block 10, Capitol Hill Addition, to inform you of his objections to the establishment of L.I.D. No. 44.

Mr. Creek can see no benefit to his property through the creation of this district and the paving of Freeman Avenue and he therefore desires that your records show his opposition to the creation of this district.

Very truly yours,  
s/ John M. Sharp

Dear Mayor and Councilmen:

In regards to paving the alley through Block 22 from Walnut to Elm Street, I wish to say that we have no desire to participate. We have no property on the alley for one thing. For another, we do not need any more traffic where our children play.

We thank you for the opportunity to express our feelings and hope our wishes will be considered.

s/ Ric Davies  
310 Elm Street  
Ric Davies & Family

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June 10, 1971

The Honorable Eddie Pedersen, Mayor  
Gentlemen of the City Council  
City of Idaho Falls, Idaho

ATTN: Mr. Roy C. Barnes, City Clerk

Gentlemen:

I am the owner of the following described property included in the 1<sup>st</sup> paragraph of the proposed L.I.D. #44. Block 23, from the west property line of Lot 12 extended to the east property line of Lot 8.

The proposal includes a total of 5 lots, (125 feet). If extended this full distance, the improvements could extend to the channel and perhaps into the channel?

Of the five (5) lots only Lot 12 is a complete (nearly) lot. Lots 11, 10, 9, & 8 are all bisected south of 22nd Street by a branch of the Idaho Canal. They are not complete lots and are therefore not adequate as a building site for a house. Therefore, I see no need for the making of said improvements, as they relate to my side (south) of the street, at present.

I strongly oppose the extensions of street, curbs and sidewalks for a distance of more than 2 lots (50').

Respectfully yours,  
s/ S. J. Hall  
(Jack Hall)

Idaho Falls, Idaho  
June 10, 1971

To Whom It May Concern:

We are protesting that our property be included in Local Improvement District for paving the alley between Maple Street and Walnut Street. There are two other properties between our property and the alley and we have no access to this alley whatsoever. We place our garbage on the front curb to be removed. We entered a protest and received an answer from the office of the Mayor dated July 9, 1969. This letter stated our protest had been reviewed and considered valid and that our property had been removed from this Local Improvement District. We again protest being included in this improvement.

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Sincerely,  
s/ Robert Humberger  
196 S. Water Avenue

K & S Arctic Cat & Marine  
June 10, 1971

To Whom It May Concern:

RE: CAPITOL HILL ADDITION, BLOCK 12, LOTS 1 TO 12 INCLUSIVE

Gentlemen:

We the undersigned property owners do hereby protest L.I.D. No. 44 with respect to our property described above. We feel at this time the proposed improvement is unnecessary because there is absolutely no foot traffic in this block.

Sincerely,  
s/ W. K. Robison  
s/ Maurice L. Robison

The Mayor then asked Councilman Nelson, as Chairman of the Public Works Committee, to preside over the oral protest portion of the hearing.

Mr. N. D. Anderson, member of the Board of Trustees of the Elks Lodge, appeared before the Council. Mr. Anderson made it clear that the Elks Club was not protesting the proposed paving on Freeman and Wabash. However, a protest was registered against sidewalk, curb and gutter. At the invitation of Nelson, Laird reappeared to point out the necessity for curb and gutter on an improved street. He said without adequate curb and gutter, there is not proper surface drainage and, sooner or later, ponding of water deteriorates the street. Laird continued by saying that sidewalks are needed because the club is situated in a residential district. Anderson pointed out that a portion of the area on Wabash is bordered by an eight foot retaining wall. Nelson said this would be studied carefully by the Engineering Department before a decision is made.

Messrs. Everett Wray and Reno Barbison appeared before the Council. Mr. Wray explained that he was in the process of constructing a residence at 578 South Skyline and that Mr. Barbison owned the adjoining lot. He said he and Barbison had offered to do their own paving for a total of 140 feet but had been turned down by the Engineering Department. Wray argued that they had been given construction estimates which were 50% to 75% less than if they were to be included in the district. It was explained to Mr. Wray that the request came too late and that all the engineering on this street had been completed; also, that the smallest area that would be considered for a private street paving venture would be a full block of 400 feet. Otherwise, if one or more property owners within that area elected to have their own work done, it would result in a series of patch work which would very likely fail to meet City requirements on grade. Mr. Wray then protested further on the

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grounds that if he were included in the district he would be penalized, inasmuch as the street has already been partially brought up to grade. At the invitation of Councilman Nelson, City Attorney Smith then explained that the Engineering Department, when figuring an L.I.D. such as this one, is obliged to level and spread all costs evenly, taking into full consideration such factors as fill, rock, etc. Nelson said no decision would be reached on all protests this night, therefore, he invited Mr. Wray and Mr. Barbison to meet with the Public Works Committee, the Public Works Director, and the City Engineer the following Tuesday at 3:00 P.M. in a further effort to resolve this problem.

Mr. Ivan Elder, 528 West 21<sup>st</sup> Street, appeared before the Council. He noted that his residential property would be assessed for a fully improved street and a sidewalk. Asked if the City would be constructing a sidewalk on City owned property across the street, he was answered in the affirmative. He said he could see no need for a sidewalk on either side of the street, inasmuch as there is virtually no foot traffic in that area; therefore, he registered his protest against sidewalk construction.

Mr. Tommy Ogawa, 570 North Wabash, appeared before the Council anticipating an improved street in front of his residential property. Mr. Ogawa registered concern about the speed of traffic. He said there is excessive speed now, even with a graveled road and that it would obviously be worse when improved. He proposed cross drains or some other impediment when the street was constructed to discourage fast traffic. Councilman Nelson referred this matter to the Traffic Safety Committee for study and recommendation.

Mr. Kenneth Stosich, 369 East 22<sup>nd</sup>, appeared before the Council noting that the street in front of his property dead ends against the canal. He proposed a cul-de-sac so that traffic could easier turn around or a bridge across the canal. City Engineer Laird explained that a cul-de-sac would require additional right-of-way for property owners on both side of the street. He said a bridge would require a raised grade. Nelson said a bridge is not being considered at this time due to lack of finances. Nelson told Mr. Stosich that, if he and the property owner across the street were willing to dedicate the necessary right-of-way, a cul-de-sac might be considered.

Several protests in writing having been filed against the creation of Local Improvement District No. 44, and the City Council having heard oral protests and having considered said oral and written protests against the creation of Local Improvement District No. 44, the adoption of the following resolution was then moved, seconded and unanimously passed, to-wit:

(Resolution No. 1971-16)

“RESOLVED: THAT THE CITY COUNCIL TAKE UNDER ADVISEMENT ALL OF THE PROTESTS AGAINST THE CREATION OF LOCAL IMPROVEMENT DISTRICT NO. 44 AND RENDER A DECISION ON SAID PROTESTS AND THE CREATION OF SAID LOCAL IMPROVEMENT DISTRICT NO. 44 AT A FUTURE MEETING.”

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ S. Eddie Pedersen  
MAYOR

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The Chief Police escorted Messrs. George Oliver and James Coddington to the Council Table and introduced them to the Mayor and City Council as newly employed Police Officers. The Mayor welcomed these men as members of the Police Department.

Messrs. G. H. Godfrey and Robert Vosburgh appeared before the Council. The Mayor asked the City Clerk to read the following:

June 6, 1971

Mr. Roy C. Barnes, City Clerk  
Idaho Falls City Hall  
308 C Street  
Idaho Falls, Idaho 83401

Dear Sir:

As per our telephone conversation on last Tuesday, June 1, 1971, I have taken your advise and secured a signed petition to formally request the Idaho Falls City Council consider changing the name of a section of Terrace Drive to Brentwood Street. The petition is attached.

I would appreciate having the subject placed on the agenda for the Thursday, June 10, 1971, City Council Meeting. At least two of the petition signers will be at the Council Meeting to make a presentation and answer questions posed by the Council.

If any pre-planning or inspections are necessary and can be accomplished before the Council Meeting, your efforts to achieve these requirements to facilitate a speedy decision would be appreciated.

Thank you for your help.

Sincerely,  
s/ G. H. Godfrey  
1630 Brentwood (Terrace)

In this connection, this petition was presented and read:

June 2, 1971

TO: The Honorable S. Eddie Pedersen  
Mayor of Idaho Falls, Idaho and  
Distinguished Members of the City Council  
of Idaho Falls, Idaho

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We, the undersigned residents of Skyline Terrace Addition, respectfully request that the east-west section of Terrace Drive, located between Skyline Drive and Brentwood Street, be re-designated as Brentwood Street.

This change would affect five residences. The three older homes have for the past 12 years maintained "Brentwood" addresses and were believed by the occupants, to be situated on Brentwood Street. The two new residences, boarding Skyline Drive, were built during the past year and were assigned Terrace Drive addresses when they were occupied this spring.

Our proposal to maintain past continuity, is to re-designate this short section of street as Brentwood Street. This would, in effect, extends Brentwood Street to intersect with Skyline Drive and terminate Terrace Drive as it intersects Brentwood Street. Such a re-classification would be complimentary to the present Brentwood plot layout and number designations and would not have any adverse influence on the Terrace Drive layout or occupants.

Expedient consideration is respectfully requested to facilitate the undersigned occupants in maintaining continuity of mail, City billing, and records.

Owner: s/ Mr. and Mrs. Allen H. Fuger  
Lot 1, Block 2, Skyline Terrace, Division No. 1

Owner: s/ Mr. and Mrs. G H. Godfrey  
Lot 2, Block 2, Skyline Terrace, Division No. 1

Owner: s/ Mr. and Mrs. Ross Wells  
Lot 3, Block 2, Skyline Terrace, Division No. 1

Owner: s/ Mrs. Joyce Lesniak  
Lot 1, Block 1, Skyline Terrace, Division No. 1

Owner: s/ Mr. and Mrs. Robert O. Vosburgh  
Lot 2. Block 1, Skyline Terrace, Division No. 1

In answer to a question by Councilman Wood, Mr. Godfrey said all affected residents had been contacted and none registered objection to this proposal. Mr. Vosburgh cited that, about one year ago, the Fire Department was called to the area and, due to this ambiguity, had trouble finding the right address of the fire causing several minutes delay. It was moved by Councilman Wood, seconded by Parish, that the City Attorney be directed to prepare an ordinance for Council consideration that would continue Brentwood Street to Skyline and cause Terrace Drive to be discontinued as it intersects Brentwood Street. Roll call as follows: Ayes, 6; No, none; carried.

At this time Councilman Hovey asked to be excused.

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Bills for the month of May, 1971, having been property audited by the Fiscal Committee, were presented in caption form as follows:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES &amp; MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$207,953.95	\$86,598.67	\$294,552.62
Fire Bonds	74,277.45	6,197.46	80,474.91
Water and Sewer	17,788.83	28,653.36	46,442.91
Electric Light Fund	58,410.55	81,900.75	140,311.30
Recreation Fund	4,026.63	1,512.61	5,539.24
Police Retirement	<u>2,695.38</u>	<u>.00</u>	<u>2,695.38</u>
<b>TOTAL</b>	\$365,152.79	\$204,862.85	\$570,015.64

It was moved by Councilman Parish, seconded by Freeman, that the bills be allowed and the 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 May, 1971, and there being no objections, were accepted by the Mayor and ordered placed on file in the office of the City Clerk.

License applications for RESTAURANT, States Investment Corp., Boise, Idaho, Royal Fork, Mark Storer for A & W Root Beer; CONCESSION, Robert E. Hill for Sir Roberts, Don O. Heaton for Mr. Softee Ice Cream, Donna Peterson for Peterson's Pantry; ELECTRICAL CONTRACTOR, Floyd Gifford for Gifford Electric; JOURNEYMAN ELECTRICIAN, Marion Overby, Weldon Whipple, Mark Robertson; APPRENTICE ELECTRICIAN, James P. Crook; JOURNEYMAN PLUMBER, Earl J. Carter, Mark Goyen, Max Sargent; CLASS C CONTRACTOR, GAS FITTING, WARM AIR HEATING, Robert Schrinier with Schrinier's Heating; CLASS C JOURNEYMAN, GAS FITTING, WARM AIR HEATING, Robert Schrinier; JOURNEYMAN CLASS D, WARM AIR HEATING, Leonard Sayer; CLASS D JOURNEYMAN, GAS FITTING, Earl J. Carter, Max Sargent; CLASS C APPRENTICE, GAS FITTING, WARM AIR HEATING, Jim Schrinier; PHOTOGRAPHY, Quincy M. Jensen; DANCE HALL, (transfer only) from Dennis L. Bates and Claude Jacobson to Benjamin Montgomery for the Project; PRIVATE PATROLMAN, Keith Tyler Radford; TAXI CAB DRIVER, Stephen R. Johnson; BEER, (canned, & bottled, not to be consumed on the premises), Eleanor H. Jackson for El Rancho Motel; BEER (transfer only), from Claude Jacobson and Dennis L. Bates to Benjamin Montgomery for the Project; BARTENDER, Jeffrey C. Dickover, Marilyn Kinney, Roberta Lopez, Maloah Johnson, Clara Ray, Hesse R. Champion, James M. Alvord, Cotton Lee Wills, Kathleen Hitz, Leone W. Eames, Dean M. Packer, Jack L. Wilkerson, were presented. It was moved by Councilman Erickson, seconded by Wood, 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.

A five year extension rider to a Union Pacific Railroad contract, L. D. #18411 was presented, covering railroad right-of-way for surface drainage serving the 16<sup>th</sup> & Rollandet area, including the

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17<sup>th</sup> Street underpass. It was moved by Councilman Nelson, seconded by Parish, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

From the Public Works Director, this memo was forthcoming:

City of Idaho Falls  
June 10, 1971

The Mayor and City Council

Don Lloyd

SUBJECT: AWARD OF EAST INTERCEPTOR

Four bids were received on June 8, for the construction of the East Interceptor Sewer. These bids have been tabulated and forwarded to Environmental Improvement (EPA) for their approval to award a contract. We are recommending that the City Council approve the low bid of Hartwell Excavating in the amount of \$171,046.00, and that the Mayor and City Clerk sign the contract upon approval from EPA.

s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the low bid of Hartwell Excavating Company in the amount of \$171, 046.00 for the East Interceptor Sewer Project be accepted, subject to the final approval by the Environmental Agency. Roll call as follows: Ayes, 5; No, none; carried.

A second memo from the Public Works Director was presented and read, as follows:

Public Works  
June 9, 1971

TO: The Mayor and City Council

FROM: Don Lloyd

SUBJECT: WATER AND SEWER SERVICES OUTSIDE THE CITY

We are submitting an original and two copies of an agreement for water and sewer services outside the City in favor of Elswood Sunnyside Acres. This agreement has been prepared by the City Attorney and reviewed by the Council Public Work's Committee. All three copies have been executed in full by Sunnyside Acres Inc. and we are recommending that the Council authorize the Mayor and City Clerk to sign the City's approval.

s/ Donald F. Lloyd

It was moved by Councilman Parish, seconded by Nelson, that this outside the City water and sewer service contract in favor of Elswood Sunnyside Acres be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

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These two memos from the Fire Chief were read and studied:

June 9, 1971

MEMORANDUM

TO: Mayor S. Eddie Pedersen and Members of the City Council  
FROM: Les Corcoran, Fire Chief  
SUBJECT: AMENDMENT TO THE ORDINANCE REGULATING SELF SERVICE GAS STATIONS

It is apparent that Title V, Chapter 18 of the City Code pertaining to self service gas stations is in need of an amendment to redefine the duties of the station attendant and to permit certain self service by customers under adequate supervision.

I therefore, suggest for your consideration that the City Attorney be authorized to work with the Police and Fire Committees to draft an amendment to this ordinance and present it for your approval at the earliest opportunity.

s/ Les Corcoran

June 10, 1971

MEMORANDUM

TO: Jim Freeman, Chairman, City Council Fire Committee  
FROM: Les Corcoran, Fire Chief  
SUBJECT: SELF SERVICE GAS ORDINANCE

I feel the proposed change in the Self Service Gas Station ordinance is needed because it was impractical to enforce the old ordinance which prohibited the customer from dispensing the gas into his own vehicle. This act in itself does not present a hazard if a qualified attendant is on the scene supervising the operation.

The existing ordinance was intended to insure the attendant being on the scene by requiring him to place the nozzle in the tank. In our observations of service station operation, we have never found a time when an attendant was not on duty. There have been times, however, that customers, have been reported to have dispensed their own gas when the attendant was busy at another car. Technically, this would be a violation of the Code.

The suggested amendment to the ordinance will maintain adequate safety provisions by clearly defining the duties of the attendant; requiring a "hold open" nozzle with no "lock

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open" device if the customer is allowed to use it; and by requiring posted instructions on how to operate the dispensing devices.

We feel this amendment will bring our City Code more in line with the latest edition of the National Fire Protection Association's Flammable and Combustible Liquids Code (Pamphlet #30) which is a nationally recognized standard for fire safety.

s/ Les Corcoran

It was moved by Councilman Freeman, seconded by Erickson, that the City Attorney be directed to draft an amending ordinance for Council consideration. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Parks and Recreation Director was submitted:

City of Idaho Falls  
June 10, 1971

TO: Honorable Mayor Pedersen and City Council  
FROM: Ernest Craner, Director Parks & Recreation  
SUBJECT: FOUNTAIN AT TAUTPHAUS PARK

Request permission to advertise for bids for construction of the Luxton Memorial Fountain at Tautphaus Park.

Plans and specifications have been completed by Boyd A. Blackner and Associates, Architects A.I.A., Salt Lake City, Utah.

Plans and specifications have also been reviewed by the City Planner, Public Works Director, and the Parks and Recreation Committee and Commission.

s/ Ernest Craner

It was moved by Councilman Freeman, seconded by Erickson, that the City Clerk be authorized to advertise for bids on the project as described. Roll call as follows: Ayes, 5; No, none; carried.

This memo from Police Chief Pollock was presented and studied:

City of Idaho Falls  
June 10, 1971

TO: Honorable Mayor and City Council, City of Idaho Falls  
FROM: Office of the Chief of Police  
SUBJECT: TRAFFIC TAUTPHAUS PARK

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1. Your consideration is solicited to Block the drive running north-south from Rogers between the animal pens and the park area where it merges with the center east-west drive just east of sea lion pool.

PURPOSE:

This is to alleviate a large part of the traffic conflict with pedestrians crossing from the playground area to the zoo area. It has been observed that certain vehicles continually use this as a driving loop. This would reduce the vehicles entering the busy intersection, that is, those entering from the south, crossing through to go north along the canal, also the bottleneck of westbound vehicles on the center drive desiring to make a left turn to go south at the intersection.

2. It is suggested that two way traffic be permitted from this intersection on west down the hill and across the bridge to provide a more direct and better exit from this area of the park.

Respectfully submitted,  
s/ Robert D. Pollock

Pollock appeared briefly to explain that the parking lot in question is used by some as a drive way and, because of all the pedestrian traffic, constitutes a safety hazard. It was moved by Councilman Erickson, seconded by Freeman, that the north entrance to the parking area east of the zoo be blocked for vehicular traffic, that all of the center drive into the park from Rollandet be made two way traffic, that a pedestrian gate be placed immediately south of the northeast corner of the zoo fence and that pedestrian traffic no longer be permitted through the gate immediately north, all of this subject to final approval by the Traffic Safety Committee. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk presented a lease assignment of the Budget Rent-A-Car firm, in favor of the First Security Bank. It was moved by Councilman Nelson, seconded by Wood, that this instrument be approved and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Treasurer, accompanied by a letter from Vern Saxton, was presented and read:

City of Idaho Falls  
May 24, 1971

TO: Dale Parish  
FROM: Lorna Coughlin  
SUBJECT: SALE OF CITY PROPERTY

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Attached you will find a letter offering to purchase a piece of property that the City has acquired through Quiet Title action in 1967. The price offered covers the legal costs and all Local Improvement liens in full, including accrued interest to the end of June. It is my recommendation that we accept his offer, providing the City can give him a clear warranty deed.

s/ Lorna Coughlin

283 West 19<sup>th</sup> Street  
Idaho Falls, Idaho  
May 24, 1971

Mayor and City Council of Idaho Falls

Sirs:

I wish to purchase Lots 44 & 45, Block 48 in the Highland Park Addition of Idaho Falls. This property having been advertised for sale by the City.

The City Treasurer's records show that the City has claims against the property in the amount of \$1,461.28.

I will pay that amount with the understanding that I will receive a clear warranty deed made out to Vern Saxton or Cornelia P. Saxton.

Sincerely,  
s/ Vern Saxton

It was moved by Councilman Parish, seconded by Freeman, that this offer be accepted subject to Mr. Saxton's agreeing to accept a quit claim deed instead of a warranty deed for the property in question. Roll call as follows: Ayes, 5; No, none; carried.

Another similar memo from the City Treasurer was presented, accompanied by a written offer from Orlando Lopez, as follows:

City of Idaho Falls  
May 21, 1971

TO: Dale Parish  
FROM: Lorna Coughlin  
SUBJECT: SALE OF CITY PROPERTY

JUNE 10, 1971

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Attached you will find a letter offering to purchase two pieces of property that the City has acquired through Quiet Title action in 1967. The price he has offered covers all liens the City has on both pieces of property at this time. It is my recommendation that we accept his offer, providing the City can give him a clear Warranty Deed.

s/ Lorna Coughlin

May 21, 1971

Mayor Eddie Pedersen  
and City Council

Gentlemen:

This is an offer to purchase the City property listed below that was advertised for sale in the Post Register. The property description is as follows:

Lots 9 thru 12, Block 25, Highland Park Addition  
Lots 37 thru 44, Block 26, Highland Park Addition

The purchase price offered is \$1,212.58 for Lots 9 thru 12 and \$2,876.57 for Lots 37 thru 44. These amounts are the figures the City Treasurer has quoted as the purchase price. It is understood that the City of Idaho Falls has acquired title and will issue a warranty deed upon payment.

Title to be issued: Orlando and Grace Lopez  
Rt. 1, Box 170  
Shelley, Idaho 83274

Very truly yours,  
s/ Orlando Lopez

It was moved by Councilman Parish, seconded by Freeman, that the Lopez offer be accepted, subject to his agreeing to accept a quit claim deed instead of a warranty deed as requested. Roll call as follows: Ayes, 5; No, none; carried.

In response to a proposal by City Attorney Smith, it was moved by Councilman Freeman, seconded by Parish, that he be instructed to prepare an appropriate resolution for consideration at the A.I.C. convention; said resolution being a request that the State legislature amend the law of conveyance to the end that parcels of land acquired by cities for failure of payment on L.I.D. assessments may be sold by said cities without auction to any person paying the full amount of delinquent assessments plus any amount paid by the City to the County on delinquent taxes plus reasonable expenses. Roll call as follows: Ayes, 5; No, none; carried.

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It was then moved by Councilman Wood, seconded by Freeman, that the City Attorney also be directed to prepare a resolution for consideration at the A.I.C. convention, said resolution requesting the State Legislature to repeal the State law that now makes it mandatory that there be no annexations into any city 91 days before a Municipal General Election. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Nelson, that the meeting adjourn at 9:55 P.M., carried.

ATTEST: s/ Roy C. Barnes  
CITY CLERK

s/ S. Eddie Pedersen  
MAYOR

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