

OCTOBER 9, 1969

The City Council of the City of Idaho Falls, County of Bonneville, State of Idaho, met in a Regular Meeting on Thursday, the 9th day of October, 1969, at the hour of 7:30 p.m. 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, Melvin Erickson. and Jack Wood, Jr. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Rod Gilchrist, City Planner; Jim Collins, Personnel Director; Robert Pollock, Fire Chief.

Minutes of the last Recessed, Regular Meeting, held September 29th, 1969, and a Special Meeting held September 30th, 1969, were read and approved.

The Mayor acknowledged the absence of former Councilwoman Lyn Smith due to the fact that she has found it necessary, having moved outside the City limits, to render her resignation as a member of the City Council. It was moved by Councilman Freeman, seconded by Erickson, that Lyn Smith's resignation be regrettably accepted and that on behalf of the City Council, the Mayor be authorized to write a letter of thanks and recommendation for her dedicated and proficient services in that capacity. Roll call as follows: Ayes, 5; No, none; carried. The Mayor, directing his remarks to all Councilmen and Division Heads, drew attention to an open house in Lyn Smith's honor, to be held in the Mayor's Chambers 2:00 p.m. to 4:00 p.m., Wednesday, October 15th, 1969.

It was then moved by Councilman Freeman, seconded by Nelson, that an appointment to fill the vacancy created by Mrs. Smith as a member of the City Council be postponed until after the General Municipal Election on November 4th, 1969. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to consider certain amendments to Zoning Ordinance No. 1115 as proposed by the Planning Commission.

First to be reviewed was a recommendation for an amendment that would change the authority to issue conditional use permits for churches, clubs, lodges and similar buildings from the Board of Adjustment to the Planning Commission. There were no protests. It was moved by Councilman Wood, seconded by Erickson, that this amendment be approved. Roll call as follows: Ayes, 5; No, none; carried.

Next to be considered was a proposed amendment which would provide that dwellings and apartment houses not be permitted uses in the GC-1 General Commercial Zone. No protests were registered. It was moved by Councilman Wood, seconded by Freeman, that this amendment be approved. Roll call as follows: Ayes, 5; No, none; carried.

The next proposed amendment would provide that several different setback requirements may be imposed within the Overlay (O-L) Zone. City Planner Gilchrist appeared to explain that the Planning Commission favors the application on all major streets within the City but that the existing 50-foot setback is too restrictive. Instead, the Commission feels that there should be variable requirements depending on the street and other circumstances, ranging from 10 to 50 feet. No one appeared for purposes of protest. It was moved by Councilman Erickson, seconded by Wood, that this amendment be authorized. Roll call as follows: Ayes, 5; No, none; carried.

Another recommended amendment was then considered; namely, that the term "dwelling" be changed to "dwelling site" in the final sentence of Section 4-9 of the Zoning Ordinance. No one

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registered a protest. It was moved by Councilman Wood, seconded by Freeman, that this change be approved. Roll call as follows: Ayes, 5; No, none; carried.

The fifth recommendation of the Planning Commission was a request to rewrite and clarify the section in the Zoning Ordinance having to do with a requirement that all unenclosed swimming pools be surrounded by a fence of at least 5 feet in height. It was moved by Councilman Wood, seconded by Nelson, that permission be granted as recommended to rewrite the section in question. Roll call as follows: Ayes, 5; No, none; carried.

Finally a recommendation was submitted to fix the minimum setback distance from the street in feet for all buildings in all zones. Gilchrist reappeared to explain that this was included as a means of standardizing all wording within the Ordinance as pertains to setbacks. No protests were registered. It was moved by Councilman Wood, seconded by Freeman, that this recommendation be approved. Roll call as follows: Ayes, 5; No, none; carried.

Mr. Ed Fanning of Fanning Wholesale Company appeared before the Council to relay to the Council a complaint from one of his customers who claimed that the rent-a-car companies at the airport are charging more than they are in other cities. Illustrating, Mr. Fanning said the rates, locally, are \$13.00 per day and 13¢ per mile whereas the going rate is \$8.00 to \$10.00 per day and 10¢ per mile. Mr. Fanning continued by making his own observation that rent-a-car companies have prime parking locations at the Airport. It was moved by Councilman Wood, seconded by Freeman, that this matter be referred to the Airport Committee for investigation. Roll call as follows: Ayes, 5; No, none; carried.

Mr. LaWayne Chapman representing the State Retirement System appeared before the Council to say that his organization was pleased to note that the City of Idaho Falls is updating an actuarial study of the Police Retirement Fund. He invited the services of his organization to perform or to assist in said study and suggested that this might save the City some money. The Mayor thanked Mr. Chapman for the offer and said the Council would keep it in mind. However, continued the Mayor, it was not anticipated that this updating would consist of an in-depth study and it was not expected that it would be costly.

Bills for the month of September, 1969, having been properly audited by the Fiscal Committee were presented in caption form as follows:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$133,414.14	\$142,375.43	\$275,789.57
Fire Bonds	40,008.80	4,567.57	\$44,576.37
Water and Sewer	9,351.11	30,720.78	40,071.89
Electric Light Fund	35,280.84	83,956.39	119,237.23
Recreation Fund	2,126.41	1,876.78	4,003.19
Police Retirement	<u>3,143.40</u>	<u>.00</u>	<u>3,143.40</u>
TOTAL	\$223,324.70	\$263,496.95	\$486,821.65

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Councilman Freeman noted an item included in the bills in the amount of \$8,810.31 in favor of Mel Brown Company representing a payment on the Eagle Rock Sprinkling System. It was moved by Councilman Freeman, seconded by Erickson, that this item be approved for payment subject to final approval by the Public Works Division and the Public Works Committee. Roll call as follows: Ayes, 5; No, none; carried.

Other than the foregoing item, 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 September, 1969, 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 APPRENTICE ELECTRICIAN, Kent Van Orden, Melvin Van Orden; BARTENDER, Rebecca F. Calvin, Edith C. McKay, Donna Coffey, Patricia Scott, Victory Reynolds, Margaret Thayer, R. L. Bell; ELECTRICAL CONTRACTOR, Rawhide Electric were presented. It was moved by Councilman Erickson, seconded by Freeman, 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.

This damage claim was presented and read:

St. Clair, St. Clair, Hiller
October 7, 1969

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

RE: IRENE MARCHIORATTI

Dear Mr. Barnes:

I am formally placing the City on notice that my client, Mrs. Marchiorlatti, was seriously injured by reason of a pedestrian-automobile accident on September 9th in the City of Idaho Falls, on North Yellowstone Highway, while attempting to cross said highway from the North Hi-Way Café to the Colonial Motel across the street.

I consider the City negligent in failing to provide any pedestrian crosswalks in this area or in failing to provide some means which would offer adequate protection for pedestrian travel in this area.

We do accordingly herewith make demand against the City of Idaho Falls in the sum of \$100,000.00 for injuries sustained by Mrs. Marchiorlatti. Would you please advise as to whether or not our claim has been approved or refused by the City Council.

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Thank you for your time and attention and this notice shall be construed as fulfilling the requirements of the Idaho Code with respect to placing the City of Idaho Falls on notice as to Mrs. Marchiorlatti's claim.

Yours very truly,
M. B. Hiller
St. Clair, St. Clair, Hiller
and Benjamin

It was moved by Councilman Freeman, seconded by Parish, that this be referred to the City Insurance Adjustor and the City Attorney for appropriate handling. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the Purchasing Department was presented:

City of Idaho Falls
October 8, 1969

LEASE NINE (9) 1970 POLICE CARS

Honorable Mayor and Councilmembers:

The Purchasing Department and Police Department request approval to advertise for bids for Nine (9) 1970 four door sedans on a twelve (12) month lease-rental basis.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Erickson, seconded by Wood, that authorization be granted to purchase for bids for the vehicles as described. Roll call as follows: Ayes, 5; No, none; carried.

From the Parks and Recreation Director, this memo was submitted:

City of Idaho Falls
October 9, 1969

TO: Mayor and Councilmen
FROM: Ernest C. Craner
SUBJECT: SKYLINE HIGH SCHOOL TENNIS COURTS

Bids were received September 23 for construction of Skyline High School Tennis Courts. Two bids were received as follows:

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Kennady Paving Company	\$28,330.00
Robert V. Burggraf Company	\$30,173.00

The Engineer's Estimate was \$27,000.00.

We recommend that you accept Kennady Paving Company's bid of \$28,330.00.

s/ Ernest C. Craner
Director, Parks & Rec.

Councilman Freeman explained that this project would be financed 40% by the BOR and the State Parks Board, 25% by the School District and 25% by the City. Noting that the low bid was above the Engineer's Estimate, Freeman advised that a thorough study had been made and it had been discovered that, in the opinion of knowledgeable parties, the low bid was realistic and that future construction cost of such a facility would likely be higher. It was moved by Councilman Freeman, seconded by Erickson, that the low bid of Kennady Paving Company be accepted with the understanding that, in the final analysis, it may be necessary to eliminate or postpone some of the less needed portions of the project. Roll call as follows: Ayes, 5; No, none; carried.

This memo from the City Clerk was presented:

City of Idaho Falls
October 9, 1969

To the Honorable Mayor and City Council
Idaho Falls, Idaho

Under Section 50-414 of the Idaho Code, it is required that the City Council, at their first Regular Meeting the month preceding the General Municipal Election, appoint an election judge and such other workers as may be necessary for each voting precinct within the City. Following, then, are our recommended names for these positions.

PRECINCT NO. 1. JUDGE, Elizabeth Dockstader; CLERKS, Thora Smith, Beth Chandler, Beulah Nichols, Loneta Hymas, Hazel Kyle, Melba White, Lucy Pearce, Bernice Kraft, Veda Crofts, Eunice Bradford; CONSTABLE, George Quinton.

PRECINCT NO. 2. JUDGE, Delia Adams; CLERKS, Grace Gardner, Edna Flitton, Lillian Tobin, Joy Hobbs, Esther Mathews, LaRue Bell, Blanche Nixon, Peggy Empey, Shirley Fortner, Pearl Smith; CONSTABLE, George Forsyth.

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PRECINCT NO. 3. JUDGE, Alice Curtis; CLERKS, Barbara Dahlstrom, Leona Merrill, Frances Schwendiman, Delores Searle, Harriet Richards, Lavinia Van Orden, Sylvan Van Orden, Yvonne Murdock, Annette Wise, Beth Jensen; CONSTABLE, William Dahlstrom.

PRECINCT NO. 4. JUDGE, Dora Thomas; CLERKS, Lucille Collet, Lucille Wilcock, Hattie Cox, Leah Merrell, Mabel Hansen, Mayme Woolley, Sarah Kinghorn, Leona Nichol, Alta Stewart, Victoria Olson; CONSTABLE, Alois Cziep.

PRECINCT NO. 5. JUDGE, Lois Molen; CLERKS, Ann McAtee, Renee Olson, Bonnie Monson, Melba Parkinson, Wilma Olsen, Maxine Zaladonis, Ann Brown, Rhea Green, Afton Wilson, Eileen Anderson; CONSTABLE, William Shipp.

PRECINCT NO. 6 JUDGE, Venna Strong; CLERKS, Faye Peterson, Pearl Misseldine, Mae Walker, Laura Melquist, Lela Smith, Marguerite Blasius, Ruth Scott, Helen Stewart, Emily Davis, Corinne Barrus; CONSTABLE, Vernon Strong.

PRECINCT NO. 7 JUDGE, Norma Lewis; CLERKS, Lovita Bacon, Fern McClellan, Adah Lempke, Minnie Dallimore, Beatrice Brown, Zelma Storer, Eva Dick, Patsy Cherry, Eleanor Moss, Thelma Aschleman; CONSTABLE, Clyde Wilson.

PRECINCT NO. 8 JUDGE, Jane Storer; CLERKS, Ardith Lee, Viola Ondrak, Ruby Storer, Laura Hooker, Eliza Keefer, Donalee Whittaker, Dorothy Gehring, Evelyn Moeller, Vey McNalley, Lottie Hemsley; CONSTABLE, John Ondrak.

PRECINCT NO. 9 JUDGE, Edith Park; CLERKS, Marjorie Bandel, Lexie Gill, Mary Dowd, Jewell Bidstrup, Mildred Stommel, Hilda Wallace, Eileen Bowcutt, Lenore Gardner, Kathleen Lundberg, Ruth Peterson; CONSTABLE, Dan Johnson.

PRECINCT NO. 10 JUDGE, Jane Heffner; CLERKS, Bertha Williams, Ruth Siqueiros, Nellie Staker, Jean Mascarenas, Sarah McCreary, Marjorie Homer, Betty Samsel, Ruby Berry, Pat Warren, Arley Reece; CONSTABLE, Verl Staker.

PRECINCT NO. 11 JUDGE, Edna Denning; CLERKS, Lynn Denning, Dora Webster, Mae Jones, Thelma Gallup, Josephine Sorensen, Billie Hagen, Janice McLain, Maxine Wakley, Arzelle Leavitt, Joyce Waggoner; CONSTABLE, Parley McLain.

PRECINCT NO. 12 JUDGE, Jan Jensen; CLERKS, Linda Keiser, Dorothy Utter, Carol Ingram, Verna Lewis, Susan Van Orden, Ramona Loendorf, Ruth Harrop, Christine Boyle, LaVina Jones, Pauline Nielsen; CONSTABLE, Irvin Jolley.

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PRECINCT NO. 13 JUDGE, Inis Blakely; CLERKS, Eila Nielsen, Clarice Larson, Ila Bills, Zetha Armstrong, Verla Collins, Afton Holyoak, Pearl Squires, Altha Rock, Elda Berggren, Anna Mae Gray; CONSTABLE, George Blakely.

PRECINCT NO. 14 JUDGE, Virgie Prestgard; CLERKS, Jean Hanson, Marjorie Johnson, Francis Miller, Marvella Wilson, Yvonne Smith, Delva Homer, Alvira Anderson, Zilpha Howard, Ester Berrette, Grace Arave; CONSTABLE, T. A. Prestgard.

PRECINCT NO. 15 JUDGE, Norma Tuttle; CLERKS, June Bills, Helen Muhr, Winifred Flaughner, Wilma McConkey, Jean Middleton, Marilyn Hubble, Yvonne Bloomer, Bernadine Fauth, Evelyn Davidson, Joan Hanson; CONSTABLE, A. R. Tuttle.

PRECINCT NO. 16 JUDGE, LaDean Worton; CLERKS, Dee Neiwert, Marion Rossiter, Alene Miller, Elsie Williams, Artie Lee Gardner, Martha Murphy, Elaine Nickell, Jeanne Sowers, Norma Trost, Sharon Eld; CONSTABLE, Clifford Smith.

Following past precedent, we recommend that all poll workers be compensated at the rate of \$15.00.

Your appointment of the foregoing election workers to the positions as indicted and your approval of the suggested compensation is requested.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

It was moved by Councilman Parish, seconded by Nelson, that the foregoing citizens be appointed as recommended to work at the polls for their respective precincts at the General Municipal Election on November 4th, 1969, and that their compensation be approved as recommended. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Parish introduced Ordinance No. 1259 entitled:

“AN ORDINANCE CONCERNING COSTS AND EXPENSES OF LOCAL IMPROVEMENT DISTRICT IMPROVEMENTS, CONFIRMING THE CREATION AND ESTABLISHMENT OF ENLARGED LOCAL IMPROVEMENT DISTRICT NO. 38 FOR IDAHO FALLS, IDAHO, FOR SANITARY SEWER IMPROVEMENTS, APPROVING THE ASSESSMENT ROLL FOR SAID DISTRICT, PROVIDING FOR THE PAYMENT IN INSTALLMENTS OF THE COST AND EXPENSES OF THE IMPROVEMENTS TO BE MADE IN SAID DISTRICT; PROVIDING FOR THE ISSUE OF IMPROVEMENT BONDS OF THE DISTRICT; ASSESSING THE COST OF THE IMPROVEMENTS AGAINST THE

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LOTS, BLOCKS, AND PARCELS OF LAND IN SAID DISTRICT CONTIGUOUS OR ADJACENT TO, FRONTING OR ABUTTING UPON SAID IMPROVEMENTS IN PROPORTION TO THE BENEFITS DERIVED TO SUCH PROPERTY AND SAID IMPROVEMENTS AND PAYMENT OF SAID ASSESSMENTS; AND PRESCRIBING THE MANNER FOR THE COLLECTION AND PAYMENT OF SAID ASSESSMENTS; PROVIDING FOR THE CREATION OF A LOCAL IMPROVEMENT GUARANTY FUND FOR THE PAYMENT OF SAID IMPROVEMENT BONDS, AND PROVIDING WHEN THIS ORDINANCE SHALL BE IN EFFECT,"

and moved that the Ordinance be adopted and passed by the Council on its first reading. Motion was seconded by Councilman Nelson, and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Freeman that the rules be suspended, and that the Ordinance be placed on its second and third reading. Motion was seconded by Councilman Erickson and the same being put to a vote, was unanimously carried by the affirmative vote of the Mayor and all Councilmen present.

It was moved by Councilman Wood, seconded by Parish, that the ordinance pass its third reading, and that the same be adopted, and the Clerk be instructed to publish the same as required by law, and the same being put to a vote, it was unanimously carried, the vote being as follows: Councilmen Freeman, Parish, Nelson, Erickson, Wood. Carried.

Reference is made to page 280 in this book of minutes and, more specifically, a petition from Mr. Jack Hall that certain property at 1165 Blaine be cleaned up. It was moved by Councilman Wood, seconded by Freeman, that this matter be referred to the City Attorney with instructions to commence action toward acquiring the property for non-payment of taxes. Roll call as follows: Ayes, 5; No, none; carried.

Reference is made to page 302 in this book of minutes and, more specifically, a petition from Reed Bills that certain property fronting on Eagle Rock Street be cleaned up. Councilman Wood noted that all affected City Departments have exhausted their authority toward this end to no avail. It was moved by Councilman Wood, seconded by Freeman, that this problem also be referred to the City Attorney with instructions to cite the property owners into court, if necessary, if the properties are not brought up to code. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Nelson reported that he had met with the Golf Association members and that they were proposing the creation of a Golf Course Advisory Board. It was moved by Councilman Nelson, seconded by Freeman, that the City Attorney be directed to prepare an ordinance which would create such a Board. Roll call as follows: Ayes, 5; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Parish, that the meeting adjourn at 8:45 p.m., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
