

JUNE 19, 1969

The City Council of the City of Idaho Falls met in a Regular Meeting, Thursday, June 19, 1969, at 7:30 p.m. in the Council Chambers at Idaho Falls, Idaho. There were present at said meeting, Mayor S. Eddie Pedersen, Councilwoman Lyn Smith, Councilmen Jim Freeman, Mel Erickson, Jack Wood, and Gordon Nelson. Absent: Councilman Dale Parish. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Don Lloyd, Public Works Director; Ernie Craner, Parks and Recreation Director.

Minutes of the last Regular Meeting, held June 5th, and a Special Meeting held June 10th, 1969, were read and approved.

The Mayor announced that this was the time and the place, as advertised, for a public hearing to hear protests against and other comments pertaining to the establishment of Local Improvement District No. 39.

Mr. Blaine Singleton, 500 Freeman Avenue, appeared before the Council and presented a petition with 33 signers, all residents of Freeman Avenue, Garfield, May and College Streets, reading as follows:

April 25, 1967

Honorable Mayor and City Council

We, the undersigned property owners in the general vicinity of May Street and Freeman Avenue respectfully request that this area be brought to standard in regards to drainage and street improvements in the next local improvement district.

Councilman Nelson said the Council concurred with these petitioners, were sympathetic to the drainage problems and would like to see these streets improved but that this must be preceded by a storm drainage project which it was hoped would be accomplished next year.

The Mayor then directed the City Clerk to present and read all written protests against the establishment of L.I.D. No. 39, as follows:

Bank of Idaho
June 13, 1969

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

Gentlemen:

Please accept this letter as our request for withdrawal from the Idaho Falls Local Improvement District No. 39. We are the owners of Lot 1, South 30 Feet, Lot 2, Block 21, Railroad Addition.

JUNE 19, 1969

The alley adjacent to our property is in excellent condition and not in need of repair or resurfacing.

Very truly yours,
s/ Ray F. Archibald
Vice President and
Manager

June 18, 1969

Idaho Falls City Council
Idaho Falls, Idaho

Dear Sirs:

We received the notice by Certified Mail indicating that the City planned to install sidewalks in the area bordering the street side of our property.

The purpose of this letter is to voice objection to this expressed plan on the part of the City.

My reasons for objection are set forth as follows:

1. Our property borders a circular front which is located on a reasonably steep incline. The installation of a sidewalk on the front of this property serves no useful purpose. Due to the frontal shape of the property, and its location it does not appear practical.

We would appreciate your reconsideration, so that the intentions expressed in the certified letter are cancelled as related to the Hemlock Circle area.

Sincerely,
s/ R. R. Bohannon
399 Hemlock Circle

June 19, 1969

Honorable S. Eddie Pedersen, Mayor
and
City Council
City of Idaho Falls, Idaho

Gentlemen:

JUNE 19, 1969

In accordance with the instructions set forth in the Notice of Intention to Establish Idaho Falls Local Improvement District No. 39, dated May 22, 1969, I herewith make written protest in part against the establishing of said improvement district, or the making of the improvements described in the Notice of Intention to establish the District. I specifically protest against the establishment of sidewalks on the west side of Evergreen Drive in Pine Acres Addition and the establishment of sidewalks on the north side of First Street from a point 100 feet east of the east property line of Wabash Avenue to the west property line of Pine Acres Addition.

This protest is made upon the grounds that the establishment of sidewalks in these areas would seriously impair the beauty, utility and value of the home sites and property adjacent to the proposed construction site. This area was originally planned and developed without sidewalks and many valuable improvements have been made on that premise. To establish sidewalks at this late date would result in the destruction of many trees, plants and valuable landscaping improvements and would certainly impair the over-all beauty of the area. There is no drastic need for sidewalks in the area at this time.

Very truly yours,
s/ James M. Brady

Buck Funeral Home
June 18, 1969

To The Honorable Mayor and City Council
City of Idaho Falls, Idaho

Gentlemen:

I wish to request that a certain portion of the sidewalk construction be excluded from Local Improvement District No. 39, as specified in Resolution, as passed by the City Council on the 22nd day of May, 1969.

The part referred to is the north side of 17th Street, from the east property line of Martin Addition to west property line of Asper Addition.

We are at this time in the process of constructing a building and effecting other extensive improvements on this property. It will be very advantageous to us to include the sidewalk construction in our overall building plans and contracts.

I respectfully petition that this request be granted.

Sincerely,
s/ Orland C. Buck

JUNE 19, 1969

570 First Street
Idaho Falls, Idaho

TO: Idaho Falls City Council

I am opposed to an improvement district for the East 17th Street area. The City tore out a good blacktop surface which I paid to have installed, and now I am asked to pay for repairing damage which should be the responsibility of the City.

Since I am unable to attend this City Council Meeting, I am asking Mr. Zane Hall to bring this for me and to speak for me in this matter.

s/ A. Ivan Burden
B & B Drug
1160 East 17th Street

June 13, 1969

Honorable Mayor and City Councilmen and Woman
Idaho Falls, Idaho

I respectfully request that the proposed paving on the alley between A and B Streets in the Railroad Addition be omitted from LID No. 39.

Our 50 feet has a 6-inch concrete pavement now, and with a little repair would be serviceable for years. All the alley now has a hard surface except for 50 feet.

Yours very truly,
s/ Wallace C. Burnes

June 19, 1969

Idaho Falls City Council

Gentlemen:

As the owner of a home at 131 Evergreen Drive, Lot 49 in Pine Acres, we wish to protest the announced intentions of the City of Idaho Falls, to install sidewalks on our property. Because

our home is on a corner lot we would face the double financial burden of sidewalks on both Evergreen and First Street. Much of our landscaping, including pine trees over twenty years old, would probably have to be sacrificed. May we respectfully ask that you do not put sidewalks in this area. The original plat of Pine Acres was approved by the City Engineer with no sidewalks to be installed.

JUNE 19, 1969

s/ Mr. & Mrs. Lloyd V.
Burnside

375 Hemlock Circle
Idaho Falls, Idaho
June 19, 1969

City of Idaho Falls
Office of the City Clerk
P. O. Box 220
Idaho Falls, Idaho

Attention: Roy C. Barnes, City Clerk

Dear Sir:

We wish to file a protest against the portion of Local Improvement District No. 39 concerning the construction of sidewalks in the Pine Acres Addition.

One side of our property faces on Hemlock Circle which is a small dead-end cul-de-sac with essentially no vehicular traffic and therefore has no need of sidewalk.

The east side of Evergreen already has a sidewalk which the school children rarely use, seeming to prefer the middle of the street. We see no reason to expect them to use two sidewalks, providing one was installed on the west side, when they hardly use the existing one.

Our property is Lot 34, Block 5, Pine Acres Addition.

Very truly yours,
s/ Mr. and Mrs. V. Cerutti

June 14, 1969

Dear Sir:

We would like to let you know of our decision concerning the paving of the alley between Elm and Walnut Streets. We have no desire or interest whatsoever in having the alley paved.

We state two reasons for our decision. First, our property does not touch the alley anywhere. Secondly, we would rather reduce the alley traffic rather than enhancing it by paving the alley, because our children as well as the neighbors play there or near abouts.

JUNE 19, 1969

In short, we do not want the alley paved.

Sincerely,
s/ Mr. & Mrs. Ric Davies
310 Elm Street

June 17, 1969

City of Idaho Falls

The following is a formal protest concerning the sidewalks on Poulson Street from Yellowstone Highway west to Higbee.

I feel that they are of no value to anyone in this area, at this time.

If, and when, there is a need for sidewalks here I can always put them in myself, and will do so according to City specifications.

I wish to go on record as protesting needless sidewalks in this District.

s/ Orland Eddins
Afton, Wyoming

June 17, 1969

City of Idaho Falls, Idaho

Sir:

I reject that because my property 1360 Sage Avenue is on the alley.

I protest.

s/ Horace Fell

371 Andersen

June 19, 1969
First Baptist Church
665 John Adams Parkway
Idaho Falls, Idaho

JUNE 19, 1969

Honorable Mayor and City Councilmen
City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

Reference: LID regarding the installation of sidewalks, location, John Adams Parkway and 4th Street between Olive and Freeman Streets.

The First Baptist Church at the reference location protests assessment for the total installation costs of a sidewalk along its boundaries of John Adams Parkway, Olive Street, and 4th Street.

Whereas the proposed sidewalk along the north side of John Adams Parkway would be entirely situated upon City-owned property. And whereas John Adams Parkway is a public right-of-way.

We, therefore, protest bearing the responsibility for the total payment of the reference sidewalk, thus respectively submit that the City of Idaho Falls assume the installation cost for that portion of sidewalks bordering the north side of John Adams Parkway. The First Baptist Church, in turn, would assume the installation cost for that portion of sidewalk bordering the south side of 4th Street and adjacent to our property, be changed from 6 feet to 5 feet wide because of the limited distance between our building and the existing curb.

Very truly yours,
s/ K. G. Magill
Moderator
s/ Floyd Nielsen
Chairman

Idaho Falls, Idaho
June 16, 1969

To The Honorable Mayor and City Councilmen

Idaho Falls, Idaho

Dear Sirs:

I am writing this letter to protest paying an assessment on paving the alley between Walnut and Maple on the 100 block south. My property does not touch the alley at any point. I do not have any access to the alley in any way. I have to put my garbage out on the street in front of my home on Water Avenue, and have been doing this for nearly twenty years as I was told by

JUNE 19, 1969

the City Street Department when I bought my place that I had no access to the alley. Now, I feel it is very unjust to have to pay an assessment to have it paved.

Thank you for your kind attention on this matter and for any consideration you might have.

Very truly,
s/ Mary Haddon
112 South Water Avenue

PETITION

We, the undersigned wish to file a protest against the portion of Local Improvement District No. 39 concerned with the construction of sidewalks in the Pine Acres Addition.

Mr. and Mrs. Ralph M. Hartwell	405 Hemlock Circle
Mr. and Mrs. F. L. Bentzen	393 Hemlock Circle
Mr. and Mrs. Lloyd Burnside	131 Evergreen Drive
Mr. and Mrs. Leonard P. Callan	197 Evergreen Drive
Mr. and Mrs. A. Lowell Cramer	175 Evergreen Drive
Mr. and Mrs. R. R. Bohannon	399 Hemlock
Mr. and Mrs. Burnard C. Curetti	375 Hemlock
Mr. and Mrs. James Brady	935 First Street
Mr. and Mrs. Reed J. Bowen	325 Evergreen Drive

This represents 100% of the property owners included in the Pine Acres Addition concerned with the sidewalk construction project.

June 18, 1969

City Clerk
City of Idaho Falls

Idaho Falls, Idaho

Dear Sir:

Please accept this letter as a notice of protest by Ralph M. and Jean C. Hartwell owners of Lot 7 less the west 5 feet thereof in Block 5 of Pine Acres Addition to the intent of the Mayor and City Council of the City of Idaho Falls to establish Idaho Falls Local Improvement District Number 39.

JUNE 19, 1969

This protest is based on all the grounds allowed by law for the protest of same and more specifically is based on the fact that there is not necessity or need or public good to be accomplished by the installation of sidewalks in front of and upon the said Lot 7 of Block 5 of Pine Acres Addition.

s/ Eugene L. Bush
Attorney at Law

Idaho Falls, Idaho
June 17, 1969

To Whom It May Concern:

We as property owners of Lot No. 7 do protest the paving of the alley on Block No. 21 from the north property line of Maple Street to the south property line of Walnut Street.

There are two lots between our property and the alley and we have no access to the alley. We set our garbage on the front lawn for pickup. We feel paving this alley, would not benefit us in any way. Therefore, we protest this improvement.

s/ Julia Bates
By Robert Humberger
196 South Water

Idaho Falls, Idaho
555 8th Street
June 17, 1969

Honorable Mayor and City Councilmen:

We as property owners in Block 1, Lot 16, Safstrom Addition, wish to file a written protest against paving the alley through Block 1, from the east property line of Holmes Avenue, to the west property line of Cranmer Avenue.

We feel that paving it is necessary to eliminate the dust situation we have to contend with due to the traffic through the alley. But as property owners we also feel that the estimated assessment that has been quoted to us by one of your City Engineers is excessive.

Sincerely,
s/ Ellis Jacobson
s/ Margaret Jacobsen

JUNE 19, 1969

Idaho Falls, Idaho
June 18, 1969

Mr. Barnes, City Clerk: This is to advise that our sidewalk is now in process of being put in.
Lot 21-A, east 15 feet, Lot 22, Block 11

s/ Mrs. Agnes Laning
1170 St. Clair Avenue

Route 2, Box 65
June 16, 1969

Mayor and Council
c/o Roy C. Barnes
P. O. Box 220
Idaho Falls, Idaho

Dear Mayor and Council:

We are opposed to paving the alley of 7th Street and 8th Street, between Holmes and Cranmer. Because we haven't the money for paving.

Yours truly,
s/ Rudolph G. Nelson

Roy C. Barnes

City Clerk
Idaho Falls, Idaho

Re: Rappleye Addition, Lot No. 7, Block No. 2, Lot No. 6, Block No. 2

Dear Mr. Barnes:

This is to protest the City approved Resolution No. 1 which would provide for improvements on the above-described lots in the form of sidewalks.

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

JUNE 19, 1969

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

June 17, 1969

Honorable Mayor and Councilmen
Idaho Falls, Idaho

We the property owners of Lot 15, Block 1 of the Safstrom Addition, wish to file a protest against the paving of the alley between Holmes and Cranmer Avenue.

We feel your cost is too high and the paving of little benefit as the High School parking lot is not paved and is very dusty.

Sincerely yours,
s/ Ivan W. & Eve Palmer

810 Cranmer Avenue
Idaho Falls, Idaho
June 17, 1969

The Honorable S. Eddie Pedersen
and Members of the City Council
City of Idaho Falls
P. O. Box 220
Idaho Falls, Idaho

Gentlemen:

We have received by certified mail the NOTICE OF INTENTION TO ESTABLISH IDAHO FALLS LOCAL IMPROVEMENT DISTRICT NO. 39. Included in this proposal is the alley between Seventh and Eighth Streets, bordered by Holmes Avenue and Cranmer Avenue.

On the last page of this notice, it states that written protests must be filed with the City Clerk no later than June 19. Accordingly, we ask that this be considered our formal protest to Local Improvement District No. 39 as it pertains to the above-described alley. Our reasons for protest are as follows:

1. We presently have the house at 585 Eighth Street rented at a very modest amount. Since the rental was established several years ago, property taxes have increased sharply. With the added taxes and the every increasing cost of maintenance, we have rented this house at a loss for the past three years. We were fortunate to obtain good renters and therefore hesitate to increase the rent. If the alley is paved, however, it will place an added burden on us, and we will be forced to sell the house.

JUNE 19, 1969

2. We have carefully considered the benefits to be derived by paving this alley and can truthfully say it is our opinion that very little would be gained. If the adjacent parking compound were paved, then we would agree that it would be desirable to pave the alley. However, until the compound is blacktopped, we can see little, if any, advantage to having the alley paved.

The paved alley would increase student traffic by providing a "short cut" between Seventh and Eighth Streets and this could then result in a hazard to the residents and in a traffic congestion on Holmes Avenue where the alley intersects.

3. Nearly all of the residents property located on the south half of Block 1 of the Safstrom Addition is fenced at the alley. Having a paved alley access to their property, therefore, would not benefit any of the residents substantially.
4. In discussing the Local Improvement District No. 39 with out neighbors, we find that the owners of all six residences are opposed to paving the alley.

We urge you to remove from Local Improvement District No. 39 the proposal to pave the alley between Seventh and Eighth Streets, bordered by Holmes Avenue and Cranmer Avenue.

We shall appreciate your careful consideration of our request.

Sincerely,
s/ Carl & Elaine Poulter

We the undersigned have been given notice of the intention of the City to pave the alley through Block 32 from the east property line of Freeman Avenue to the west property line of Wabash Avenue.

This we strongly oppose because of one or more of the following reasons:

1. It is not necessary for the alley to be paved. We hardly ever use this alley. Really we need no alley.
2. Most of the people having to pay for the paving are retired people. They are living on savings and social security. It would be a financial burden to pay for such a project under these inflationary prices.
3. Furthermore, we believe the City needs to improve the regular streets of the City. Look at Memorial Drive or numerous other streets. Streets, not alleys, need to be improved.

JUNE 19, 1969

4. During the last two years the alley was improved to top capacity by putting a deep layer of fine gravel on the alley - no paving is necessary. To pave is just an unnecessary expense to all parties concerned.

Mr. and Mrs. Paul Schwabedissen	668 Lomax Street
Ruth Ashley	155 North Wabash
Mrs. Ethel Strotton	662 Lomax
Dean F. Pfof	160 North Wabash
George H. Ferguson	609 First Street
Leo D. and Elsie M. Higgins	692 Lomax
Mr. and Mrs. Keith Cook	666 Lomax
Mr. and Mrs. Leorin Crook	644 Lomax
J. E. Prows	613 First Street
Wayne Aiman	605 First Street

Dear Sirs:

Mrs. Poulter's house is adjacent to ours - at 595 8th Street. We also have rented our house for a number of years - and at a nominal rate, so that identical conditions are present.

We too feel that it would constitute a traffic hazard for at least 9 months out of the year.

When the City paves the parking lot this would be a proper time to consider paving the alley.

Thank you for your consideration of this protest.

Sincerely,
s/ Mr. and Mrs. Richard F.
Stanger
Owners of 595 8th Street

Idaho Falls, Idaho
June 17, 1969

City Clerk
City of Idaho Falls
P. O. Box 220
Idaho Falls, Idaho

Dear Sir:

This protest is in regard to City Resolution No. 1 of May 22, 1969.

JUNE 19, 1969

The undersigned is the owner of Lots 7 to 11, Block 15, Mayflower Addition.

This property is surrounded by Grain Elevators, Storage Elevators, Potato Warehouses, Animal Products Processors, Stockyards, and Commercial Industries of long community standing, whereby the use of the area is almost exclusively by the industrial operators and their employees. Use of the area by the general public in vehicles or as pedestrians is practically nil.

Therefore, volume use of the area by the public does not warrant the high improvement assessments for paved streets, curbing, gutters and sidewalks.

The property I own brings in no income, is assessed at the outrageous value of \$12,500.00 for tax purposes, and is no candidate for additional high assessments for improvements not necessary in the industrial area of the location.

If anyone were interested, I would gladly sell my property at a price considerably less than its tax assessed value.

Under these conditions I am making this written protest against establishing said improvement district.

Very truly yours,
s/ F. E. Skelton

June 17, 1969

Jack Thomas Grain -
Livestock

City of Idaho Falls
Idaho Falls, Idaho

Gentlemen:

The following is a formal protest concerning the paving of Poulson Street from Yellowstone Highway west.

A few months ago, I discussed the paving with the City Engineers and told them we were in favor of paving if we could see an estimated cost figure to determine if it was not prohibitive. However, in receiving the certified letter informing us of the district, it also includes sidewalks which are of no value to anyone in this area.

We have discussed this with Mr. Skelton, the adjoining property owner and his feelings are the same. There is no reasoning whatever for sidewalks in the country.

JUNE 19, 1969

In further talks concerning the street location, with Mr. Laird, I find the pavement ends about 50 feet from the railroad tracks or at a point which would exclude the pavement from our office and warehouse. As property owner of 60-70% of the total, we will be paying that portion but will have the street and halfway through the said property and right at a point most needed for our office and warehouse space.

As of this date, June 17, 1969, we are now on record as Jack Thomas, Neil Soderquist and Jack Thomas Grain and Livestock, protesting needless sidewalks in the district and completely against paying if the district stops in the middle of the east-west street with no conceivable benefit to any one west of Higbee Avenue.

s/ Neil Soderquist
Manager of Jack Thomas
Grain

The Mayor then asked for verbal protests and any other comment by any interested citizen.

Mr. Zane Hall appeared before the Council explaining that he was the owner of a professional building next to the B & B Drug on 17th Street and protested the inclusion of sidewalks in front of his property in the district. He said he had, at his own expense, constructed asphalt sidewalks before the reconstruction, they now must be replaced. Moreover, he reminded the Council of the inconvenience and possible damage caused his property due to the 17th Street reconstruction with traffic using his black topped parking area as a detour. He also reminded the Council that he was approached to give

right-of-way for 17th Street widening, which he granted. Councilman Nelson then reminded Mr. Hall that he fell heir to a completely improved street as a result of the alleged inconvenience whereas most property owners are assessed for such an improvement. Mr. Hall said he realized this and was appreciative, but still asked to be withdrawn from the district. He said that, as a last resort, rather than be included in the district, he would be responsible for installing his own sidewalk.

Mr. Neil Soderquist, one of the signers on the Jack Thomas written protest, appeared to say that the improvement of Poulsen Street would add to the surface drainage problem that already exists. Moreover, continued Mr. Soderquist, due to the fact that there is no dedicated right-of-way for the continuation of Poulsen to the railroad tracks, the improvement would not benefit the Jack Thomas Grain Elevator.

Mr. Jim Brady, 935 First Street, appeared at the Mayor's request to confirm the fact that the Pine Acres Plat, approved in the early 1950's, did not provide for sidewalks. Mr. Lloyd Burnside, 131 Evergreen Drive, appeared briefly to concur with Mr. Brady. City Engineer Laird appeared to say that, if his memory served him correctly, Mr. David Benton's improvement drawings called for sidewalks on the west side of Evergreen, along First Street and Hemlock Circle.

The Mayor made it clear to all present that neither the City Council nor the Engineering Department arbitrarily include areas for improvement but that, in most instances, they have been requested by one or more property owners. He said the purpose of a hearing, among other reasons, is to hear the reaction of all affected property owners and if a preponderance of affected property owners object, it is not the intention of the Council to go against the wishes of the majority. The

JUNE 19, 1969

Mayor continued by saying that the Council, prior to forming a local improvement district, takes into consideration every facet of every problem, including protests, construction costs and money costs. On the latter, the Mayor said Idaho Falls and other cities are now facing a unique problem because of the tight money market. He asked the City Clerk to elucidate, based upon a recent interview with an official from one of the leading bond houses in Salt Lake City. It as learned that, recently, it is not uncommon for bids to be called on municipal bond issues and that there are no bidders. It was learned, further, that financial institutions who are normally buyers of bonds for their clients are now sellers and that existing bonds are being dumped on the open market, virtually at random.

The Mayor said he wanted this explained because of the possibility, even if the Council forms this district, that construction funds may not be available through the sale of bonds. In the absence of further protests or comment, it was moved by Councilman Nelson, seconded by Freeman, that all protests be referred to the Public Works Council Committee and the Public Works Division for study and recommendation. Roll call as follows: Ayes, 5; No, none; carried.

The Mayor, noting that the five year term of Vernon Johnson as Chairman of the Library Board had expired, reappointed him to another five year term in that capacity. It was moved by Councilman Freeman, seconded by Erickson that this appointment be confirmed. Roll call as follows: Ayes, 5; No, none; carried.

License applications for FIREWORKS, Ky Nii for Holly-Wood Bowl, David Cameron for 32nd Ward at First Street and Holmes Conoco Station, Karlene Petersen for 22nd Ward at Boulevard and 17th Street, Jack W. Carey for Pay'n Save Drug, David Price for King's Variety Store, Tucker Morishita for Bowl-Ero, Andy H. Stavros for Midget Market, Lamont S. Howell for Monte's Food King, Jerald

D. Epperly for Elm Street Jiffy Mart; GROCERY STORE, Paul Sato for Mary's Japan Grocery, Lowell A. Bybee for Bybee's Market; FOOD BOOTHS, Barbara Sargent for Chamber of Commerce for 4th of July Concession Booths, Melvin E. Call for L.D.S. Stakes Concession Activities for 24th of July; APPRENTICE ELECTRICIAN, Steven Nielsen Thompson with Jewell Electric; APPRENTICE CLASS D GAS FITTING, Lavon Crow with Wiemer Heating Company, were presented. It was moved by Councilman Freeman, seconded by Councilwoman Smith, 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.

Reference is made to a written appeal to the Council by Mr. Dean Howell which can be found on Page 252 of this Book of Minutes. Councilman Wood noted that, at a recent informal meeting of the Council, said appeal had been granted. It was moved by Councilman Wood, seconded by Councilwoman Smith, that this action be duly ratified. Roll call as follows: Ayes, 5; No, none; carried.

These damage claims were presented and read:

Jack W. Carey, Owner
Pay 'n Save Drug
June 18, 1969

The Honorable Eddie Pedersen, Mayor
City of Idaho Falls
Idaho Falls, Idaho

JUNE 19, 1969

Dear Mayor Pedersen:

On June 13, 1969, I discovered a leak in our basement wall through which water was pouring profusely causing quite an accumulation in our basement fixture room.

I called the City Offices and they promptly dispatched a crew to determine the source of the water. They immediately determined that it was coming from an adjacent fire hydrant located at the corner of Park and A Street that had been improperly shut off and was leaking underground.

Material damage was insignificant to our stored fixtures. However, we did have to call in additional help to mop up the water and deodorize the basement. We also had to divert some of our regular help to assist.

We respectfully submit the following labor cost which we would appreciate if you would present to the City Council for prompt consideration.

Special Help	9-1/2 Hours @ \$1.50	\$14.25
Staff Help	3 Hours @ \$1.55	<u>\$ 4.65</u>

TOTAL

\$18.90

Respectfully,
s/ Jack W. Carey

St. Clair, St. Clair, Hiller
June 18, 1969

Idaho Falls City Council
Administration Building
C Street
Idaho Falls, Idaho

Attention: City Council

Gentlemen:

As attorneys for the claimant, Scotts Stationers, a claim pursuant to applicable requirements of the Idaho Code, 50-219, is hereby made upon the City of Idaho Falls for damages sustained by claimant on or about June 9th and 10th, 1969, as a result of the alley being torn up adjacent to said building which is located at 459 Shoup Avenue, Idaho Falls, Idaho and leaving the same

JUNE 19, 1969

in such state that rain waters ran into the basement of said building, damaging goods, wares, carpeting and walls.

Scotts Stationers' damages, for which demand is hereby made upon the City of Idaho Falls, are, as of date, undetermined. Upon determination of same, the exact amount will be respectfully submitted to the City.

Your very earliest attention to the foregoing is solicited and you are required to consider this claim at the next meeting of the Council.

Very truly yours,
s/ Willis B. Benjamin

Sharp, Anderson and Bush
June 18, 1969

City of Idaho Falls
City Building
Idaho Falls, Idaho

ATTENTION: Mr. Roy C. Barnes, City Clerk

Dear Mr. Barnes:

Claim is hereby filed with you as the City Clerk of the City of Idaho Falls, for damages incurred and sustained by Ver Dale Hunter, Charlene Hunter, JoDale Hunter and Katherine Hunter, as a result of a motor vehicle accident occurring on June 16, 1969, at the Bonneville County-City of Idaho Falls Sanitary Landfill located just north of the City of Idaho Falls, Idaho.

The probable cause of said damages was the failure of the City to take appropriate or adequate steps to protect persons using the said sanitary landfill from sustaining injury. In this specific instance, Mrs. Charlene Hunter, accompanied by her two children, JoDale Hunter and Katherine Hunter, as well as two other children, drove her motor vehicle to the sanitary landfill and then proceeded to leave the same upon a road, previously utilized by her to leave the sanitary landfill, and which for all apparent purposes and appearances was safe for egress.

As Mrs. Hunter came over a very sharp rise on the road leaving the sanitary landfill, the same suddenly terminated with a sharp, deep drop. Mrs. Hunter was unable to avoid going over the cliff and the ensuing accident resulted in damage to the motor vehicle and personal injuries to Mrs. Hunter and her two children.

JUNE 19, 1969

The exact nature and extent of the injuries sustained is not now definitely ascertainable, but at such time as the same can be accurately determined, we will advise you of the exact dollar amount of the claim here being made.

Would you kindly acknowledge receipt of this notice of claim by signing the enclosed copy and returning the same to us.

Yours very truly,
s/ Eugene Bush

Sharp, Anderson and Bush
June 19, 1969

City of Idaho Falls
City Building
Idaho Falls, Idaho

ATTENTION: Mr. Roy Barnes, City Clerk

Dear Mr. Barnes:

Claim is hereby filed with you as the City Clerk of the City of Idaho Falls, Idaho, for damages incurred and sustained by Mark Bryan Hendrickson and Rex Hendrickson, minor children of Mr. and Mrs. Dale Hendrickson of 2490 Morningstar Lane of Idaho Falls, Idaho.

Our firm is representing Mr. and Mrs. Hendrickson and their two minor children with reference to this matter.

The injuries sustained were a result of a motor vehicle accident occurring on June 16, 1969 at the Bonneville County - City of Idaho Falls Sanitary Landfill located just north of the City of Idaho Falls, Idaho.

The probable cause of the damages were the failure of the City to take appropriate and adequate steps to protect persons using the said sanitary landfill from sustaining injury. In this specific instance, Mark and Rex Hendrickson were riding in a motor vehicle operated by Mrs. Charlene Hunter. Mrs. Hunter drove her motor vehicle to the sanitary landfill and then proceeded to leave the same upon a road previously utilized by her to leave the sanitary landfill, and which for all apparent purposes and appearances was safe for egress.

As Mrs. Hunter came over a very sharp rise on the road leaving the sanitary landfill, the same suddenly terminated with a sharp, deep drop. Mrs. Hunter was unable to avoid going over

JUNE 19, 1969

the cliff and the personal injuries for which claim is hereby made resulted from the car going over the precipice.

The exact nature and extent of the injuries sustained by Mark Bryan Hendrickson and Rex Hendrickson are not now definitely ascertainable. At such time as the same can be accurately determined, we will advise you of the exact dollar amount of the claim here being made.

Would you kindly acknowledge receipt of this notice of claim by signing the enclosed copy and returning the same to us.

Very truly yours,
s/ Eugene L. Bush

It was moved by Councilman Freeman, seconded by Councilwoman Smith, that these be referred to the City's Insurance Adjuster for proper handling. Roll call as follows: Ayes, 5; No, none; carried.

From the Public Works Director this memo was forthcoming:

City of Idaho Falls
June 19, 1969

TO: Mayor and Council
FROM: Donald F. Lloyd
SUBJECT: 16TH STREET WATER MAIN

The plans and specifications have been completed for the renewal of a water main on 16th Street from Rollandet to Alice Avenue. This will replace an existing 4" main with a new 8" cast iron pipe. There is \$7,000.00 allocated in the current budget for this project. We are requesting authorization to advertise for bids on June 29 & July 6, with bid opening July 8, 1969.

s/ Don F. Lloyd

It was moved by Councilman Nelson, seconded by Smith, that the City Clerk be authorized to advertise for bids on the project and on the dates as indicated. Roll call as follows: Ayes, 5; No, none; carried.

Next, from the Public Works Director, this memo was presented:

City of Idaho Falls
June 19, 1969

TO: Mayor and Council
FROM: Donald F. Lloyd
SUBJECT: VACATION OF CHEYENNE STREET IN FAVOR OF GEORGE W. WATKINS
JUNE 19, 1969

It has been requested that Cheyenne Street be vacated and this request has been investigated by the Engineering Department and they find that there are no utilities in this Street.

We would recommend that the City Attorney be authorized to prepare the instrument for vacation of this Street.

s/ Donald F. Lloyd

Councilman Nelson said he had no objection to this matter being presented at this time but that, in the event favorable action was taken, he wished to meet with the City Attorney before the vacating ordinance was prepared. It was moved by Councilman Nelson, seconded by Smith, that with this understanding, this matter be referred to the City Attorney for preparation of a vacating ordinance. Roll call as follows: Ayes, 5; No, none; carried.

Finally, from the Public Works Director, the following was presented:

City of Idaho Falls

June 19, 1969

TO: Mayor and Council
FROM: Donald F. Lloyd
SUBJECT: CONTRACT BETWEEN RAILROAD & CITY FOR PUBLIC ROAD CROSSING
(LD #21191)

In connection with the development of Fairview Avenue two railroad crossings require some adjustments. The crossing at Anderson Street and the crossing on North Boulevard both require some minor adjustments. The attached contractors have been reviewed by Public Works in detail and we would recommend that the Council authorize the Mayor and City Clerk to sign the City's approval, subject to the review by the City Attorney.

s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Smith, that the contract be approved and the Mayor and City Clerk be authorized to sign, subject to final review by the City Attorney. Roll call as follows: Ayes, 5; No, none; carried.

The City Clerk drew attention to the need for a public hearing to consider a rezoning petition submitted by Mr. Art Johnson. It was moved by Councilman Wood, seconded by Smith, that said hearing be scheduled for July 10, 1969, and the City Clerk be authorized to publish legal public notice accordingly. Roll call as follows: Ayes, 5; No, none; carried.

Through the City Clerk the City Planner submitted various proposed amendments to Zoning Ordinance No. 1115. It was explained that these had been endorsed by the Planning Commission. City Attorney Smith noted that, even if these are put in ordinance form, a public hearing would be necessary before the ordinance was passed. It was moved by Councilman Wood, seconded by Smith,

JUNE 19, 1969

that these be referred to the City Attorney for the drafting of an appropriate ordinance, after which said ordinance be presented to the Council for consideration. Roll call as follows: Ayes, 5; No, none; carried.

An annexation ordinance involving approximately 2.6 acres owned by Richard Decker and Kenneth Rowland was presented. It was moved by Councilman Wood, seconded by Smith, that no action be taken and that consideration of this ordinance be tabled until the next regularly scheduled Council Meeting. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Wood presented a memorandum of agreement between the City and the 24th of July Committee of the L.D.S. Church, granting permission for said Committee, under certain terms and conditions as entered into the agreement, to use the premises and facilities of the City Municipal Airport on July 23rd and 24th, 1969, for the purpose of an air show featuring the Aerobatic team of the United States Navy known as the Blue Angels. It was moved by Councilman Wood, seconded by Erickson, that the memorandum of agreement be accepted and approved. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Nelson reported that, at a recent meeting with the County Commissioners, it had been agreed that the time was now right for the advertisement of bids for construction of the 17th Street Bridge. City Attorney Smith said that, even though certain property needed for right of way is subject to acquisition by means of condemnation, he had been assured that, in each instance, the property owner would consent to possession pending outcome of the condemnation proceedings. It was moved by Councilman Nelson, seconded by Smith, that the City Clerk be authorized to advertise for bids for construction of the 17th Street Bridge as soon as possible. Roll call as follows: Ayes, 5; No, none; carried.

Councilman Nelson then reported that Bonneville County had recently received a deed to certain property owned by Mr. and Mrs. J. Marsden Williams, thus eliminating the last obstacle to proceeding with construction of the Fairview extension. In delivering the deed to the County, however, one of the conditions was that there be a signed agreement between Mr. and Mrs. Williams, the County and the City whereby Mr. and Mrs. Williams would reserve the right of way for a certain railroad spur and whereby the City would agree not to annex the remaining property owned by Mr. and Mrs. Williams by virtue of this deed conveyance, as well as certain other conditions. It was moved by Councilman Nelson, seconded by Smith, that the Mayor and City Clerk be authorized to sign this agreement in behalf of the City. Roll call as follows: Ayes, 5; No, none; carried.

ORDINANCE NO. 1250

AN ORDINANCE FIXING PENALTIES FOR VIOLATION OF THE PROVISIONS OF THE SEWER CODE, BEING CHAPTER 7, TITLE 8, CITY CODE OF IDAHO FALLS, IDAHO; PROVIDING THAT ENFORCEMENT OF SAID CHAPTER MAY BE INITIATED BY THE ISSUANCE AND SERVICE OF A CITATION TO APPEAR IN POLICE COURT; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

JUNE 19, 1969

The foregoing Ordinance was presented in title. It was moved by Councilwoman Smith, 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.

ORDINANCE NO. 1251

AN ORDINANCE VACATING AN EASEMENT AND PARTICULARLY DESCRIBING THE EASEMENT; AUTHORIZING AND DIRECTING THE MAYOR AND CITY CLERK ON BEHALF OF THE CITY OF IDAHO FALLS, IDAHO, TO CONVEY SAID LAND TO THE OWNER OF THE ADJACENT PROPERTY; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE. (A. L. Wohlschlagel)

The foregoing Ordinance was presented in title. It was moved by Councilman Freeman, seconded by Smith, 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.

Presented to the Council was a contract for deed whereby, under certain conditions, Mr. and Mrs. Jim Brady agreed to convey certain property in the amount of 36,966 square feet to the City for the appraised value of \$8486.40. It was understood that said property was needed by the City as right of way for the extension of Lomax Street. It was moved by Councilman Nelson, seconded by Smith, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 5; No, none; carried.

It was moved by Councilman Erickson, seconded by Smith, that the Anderson Lumber Company bid in the amount of \$3647.74 for chain link fence for the new impounding lot be accepted. Roll call as follows: Ayes, 5; No, none; carried.

Following are recommendations on various matters recently referred to the Traffic Safety Committee, submitted by Councilman Erickson. On June 5th, Mrs. Betty Ringquist had urged that a fence be installed on the north side of Market Road between Skyline and Westhill Avenue. City Engineer Laird had reported at the Traffic Safety meeting that this street was soon to be made into a

JUNE 19, 1969

connecting link from a point approximately one half mile west of Reed's Corner and connect with West 17th Street and that installation of a fence would set a precedent that could result in future problems. Therefore, the Committee recommended denial. It was moved by Councilman Erickson, seconded by Smith, that this recommendation be upheld and the request be denied. Roll call as follows: Ayes, 5; No, none; carried.

Also on June 5th, there had been submitted a damage claim by Mr. Grant Packer, Jr. involving a street sweeper running over a tricycle. The Traffic Safety Committee felt this should be reviewed by the Accident Review Board. It was moved by Councilman Erickson, seconded by Smith, that this problem be so referred. Roll call as follows: Ayes, 5; No, none; carried.

Another recommendation from the Traffic Safety Committee was installation of a yield sign on Cleveland where it intersects Fanning because of a problem of parents taking their children to a

nearby grade school. It was moved by Councilman Erickson, seconded by Councilwoman Smith, that this installation be approved. Roll call as follows: Ayes, 5; No, none; carried.

On May 22nd, Mrs. Douglas Heinicke had requested that Dale Avenue be posted for a 25 MPH speed limit. The Traffic Safety Committee was of the opinion that no action on this request would be necessary until school resumed in the fall. Councilman Erickson said he had inspected the street which has access at both ends and could perceive that traffic speed could be a problem when school is in session. The Council was of the opinion that there need to be no delay. Therefore, it was moved by Councilman Erickson, seconded by Smith, that the street in question be posted for 25 MPH speed limit as requested. Roll call as follows: Ayes, 5; No, none; carried.

This prompted general discussion relative to the State law which provides for 35 MPH speed limits on all City streets unless otherwise posted. The Council was of the opinion that the State law should be changed to provide for 25 MPH on all City streets unless otherwise posted. The City Attorney agreed to introduce legislation to that effect and the Mayor also agreed to discuss the matter with AIC Officials at the next State convention.

The Traffic Safety Committee has been given a problem in need of a recommendation at West 20th and Fife and it was noted that this intersection has had accident experience. Their recommendation was that a yield sign be placed on Fife. It was moved by Councilman Erickson, seconded by Smith, that this recommendation be approved. Roll call as follows: Ayes, 5; No, none; carried.

On June 5th, Councilman Erickson reported that there had been complaints of speeding on Maple Street between Boulevard and the railroad. This prompted the placing of radar on this Street which revealed the average speed to be 27 MPH. Therefore, no Council action was considered necessary at this time except to instruct the Traffic Department to continue to keep the street in question under surveillance.

City Controller Jenkins reported the time has come to seek bids on a blanket fire and extended coverage policy for all City buildings. He said in most instances the bid should be on a cost replacement basis. He proposed that each bidder make his own appraisal and submit his bid accordingly. He also proposed that bids be advertised for six weeks to be opened August 6th, 1969. It was moved by Councilwoman Smith, seconded by Nelson, that bids for a five year policy be

JUNE 19, 1969

advertised and that all of the suggestions of the Controller be accepted. Roll call as follows: Ayes, 5; No, none; carried.

Councilwoman Smith, on behalf of the Electrical Division, expressed thanks and appreciation to the many City employees and others who participated in the Northwest Public Power barbeque Wednesday evening, June 18th, toward making it a huge success.

There being no further business, it was moved by Councilman Freeman, seconded by Nelson, that the meeting adjourn at 10:15 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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