

NOVEMBER 7, 1968

The City Council of the City of Idaho Falls met in a Regular Meeting, Thursday, November 7, 1968, 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, Gordon Nelson, Dale Parish. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Rod Gilchrist, City Planner; Don Lloyd, Public Works Director; William Fell, Electrical Engineer.

Minutes of the last Recessed Regular Meeting, held October 24th, 1968, were read and approved.

Bills for the month of October, 1968, 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	\$112,028.24	\$91,489.31	\$203,517.55
Fire Bond	34,241.06	4,488.30	38,729.56
Water & Sewer Fund	9,142.95	40,008.03	49,150.98
Electric Light Fund	31,520.10	96,682.39	128,202.49
Recreation Fund	2,144.80	386.74	2,531.54
Police Retirement Fund	2,532.95	.00	2,532.95
<u>TOTAL FUNDS</u>	<u>\$191,610.10</u>	<u>\$233,054.97</u>	<u>\$424,665.07</u>

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, 6; No, none; carried.

Reports from Division and Department Heads were presented for the month of October, 1968, and there being no objections, were accepted and ordered placed on file in the office of the City Clerk.

License applications for GROCERY STORE, Louis J. Herrbach for Albertsons; JOURNEYMAN PLUMBER, Thayne Kunz; APPRENTICE ELECTRICIAN, Mark Robertson; TAXI CAB DRIVER, Eugene C. Yorman; BARTENDER, Barbara Hale, Janette Bursken; BEER, (Canned & bottled, not to be consumed on the premises), Louis Herrbach for Albertsons 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, 6; No, none; carried.

The following damage claims were presented and read by the City Clerk:

Yellowstone Company
Insurance Adjusters
October 28, 1968

City of Idaho Falls
Idaho Falls, Idaho

NOVEMBER 7, 1968

ATTN: City Council
RE: Our insured: J. M. Parkinson Tractor Co.
Accident of 10-9-68

Gentlemen:

On October 9, 1968 the insured's 1967 Chevrolet four-door sedan was involved in an accident with a City Police car being operated by Officer Gordon Shaw.

This letter is for the purpose of placing the City on notice of the damage to the Parkinson vehicle. Our investigation indicates the insured was proceeding through the intersection on the green traffic light with the City Police Officer going through the intersection on a red light. Copy of the low repair estimate in the amount of \$147.45 is attached. Could we please have your consideration of this claim on behalf of our principal. Fireman's Fund American Insurance Company.

Yours very truly,
Yellowstone Company
s/ Donald Keithly,
Manager

St. Clair, St. Clair & Hillier
October 24, 1968

Roy C. Barnes, City Clerk
P.O. Box 220
Idaho Falls, Idaho

Dear Mr. Barnes:

This is a notice of damage to my 1968 Buick Electra sedan required to be given under Idaho Code 50-162 1947.

On October 9, 1968, I was stopped in the south lane on Broadway preparing to cross Yellowstone Avenue. Joe Parkinson was stopped at the right in the lane immediately north of my vehicle. As the light changed, we both proceeded across Yellowstone Avenue towards the library and I heard a siren rev up and immediately set my brakes bringing my vehicle to a stop approximately one length into Yellowstone Avenue. Joe Parkinson apparently heard the siren at the same time I did and he set his brakes at the same time and we stopped almost simultaneously.

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A police car driven by Officer Shaw proceeding on Yellowstone Avenue went through the light and hit his siren as we started across, although I did not see him. Officer Shaw's vehicle hit Joe Parkinson's vehicle in the front section and Joe Parkinson's car slid around striking the left back door of my car, causing a dent, damage amount not known at this time.

I am hereby requesting that the City be put on notice that I am claiming reimbursement for the cost of any damage to my car.

Very truly yours,
Gilbert St. Clair

St. Clair, St. Clair & Hillier
October 24, 1968

Mr. Roy Barnes
City Clerk
Box 220
Idaho Falls, Idaho

RE: Lea C. Forrester

Dear Mr. Barnes:

Mrs. Lea C. Forrester is a school teacher from Twin Falls, Idaho. She attended the teacher's institute in Idaho Falls on the 11th day of October, 1968. The institute was held at the Idaho Falls High School and Civic Auditorium. At approximately 10:15 A.M. she entered a room marked Audio-Video Program. The room was unlighted and as a result Mrs. Forrester fell down a flight of stairs causing bruises and lacerations, together with general injuries to her knees and right ankle. She was treated in Idaho Falls to return to school to assume her teaching responsibilities.

The foregoing accident and resulting injuries are directly attributed to the negligence and careless acts of the person or agency in control of this particular building. If, in fact, this agency is the City of Idaho Falls, we do herewith make claim against the City for all doctor, hospital, and general medical bills incurred by Mrs. Forrester, together with lost wages and general damages for any residual disability which may result from the injuries complained of.

This notice and claim is made within the thirty (30) day statutory period and should be routinely processed.

Yours very truly,
St. Clair, St. Clair & Hillier
s/ M. B. Hillier

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It was explained that, in the interest of time, these had previously been forwarded to the City Insurance Adjustor for investigation. It was moved by Councilman Freeman, seconded by Smith, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was read:

City of Idaho Falls
November 7, 1968

TO: Mayor and City Council
FROM: Don Lloyd, Public Works Director
SUBJECT: ARCHIE HOLVERSON RETIREMENT

On October 15, 1968 the Council considered and approved an extension of Mr. Holverson's retirement which is due to begin January 1, 1969.

We would recommend that this action be ratified and that the Mayor be authorized to request a one year postponement from the Idaho Retirement Board.

s/ Don F. Lloyd, P.E.

It was moved by Councilman Nelson, seconded by Parish, that this informal Council action be ratified and the Mayor be authorized to request said retirement postponement from the State Retirement Board. Roll call as follows: Ayes, 6; No, none; carried.

Also, from the Public Works Director, this memo was reviewed:

City of Idaho Falls
November 5, 1968

TO: Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: CITY'S PARTICIPATION IN 10" SANITARY TRUCK SEWER

The City has requested that the developers of Cambridge Terrace Addition increase their sewer size from 8" to 10" to accommodate the future development. Late in 1967 it was agreed that the City would participate in this additional cost.

The attached list of quantities and unit prices have been reviewed in detail and we would recommend that the City authorize payment in the amount of \$2,265.47.

s/ Don F. Lloyd

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It was moved by Councilman Nelson, seconded by Parish, that authorization be granted for City participation in the foregoing described sanitary trunk sewer in the amount and for the reason as indicated. Roll call as follows: Ayes, 6; No, none; carried.

From the Purchasing Agent came this memo:

City of Idaho Falls
November 6, 1968

Nine (9) Leased 1969 Four Door Sedans

Honorable Mayor and Councilmembers:

Tabulation of bids for nine (9) leased 1969 four door sedans is attached.

Evaluation of bids received show Imperial Motors submitting the low bid of \$168.00 per month with full maintenance.

It is the recommendation of the Police Department and the Purchasing Department that the low bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Erickson, seconded by Wood, that the low bid of Imperial Motors be accepted. Roll call as follows: Ayes, 6; No, none; carried.

From the City Planner this memo was presented:

City of Idaho Falls
November 7, 1968

TO: Roy C. Barnes
FROM: William R. Gilchrist
SUBJECT: AMENDMENT TO FENCE ORDINANCE

Attached are two proposed amendments to the Zoning Ordinance pertaining to fences.

At the last regular meeting of the Planning Commission these amendments were approved by that group and are being forwarded to the City Council for consideration.

s/ Rod Gilchrist

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4-26-N - FENCES

No fence, wall, hedge, or other sight obscuring object or structure which is more than three (3) feet in height shall be constructed or allowed to exist above said height within fifteen (15) feet of any front lot line along any street. This section shall not be construed to permit any structure, shrub, hedge or object to exist in violation of Section 4-7 of this Ordinance.

4-7 - CLEAR VIEW OF INTERSECTING STREETS AND WAYS

For the purpose of insuring reasonable visibility and safety in the residential districts and in the business districts which require buildings to be set back from the right-of-way line, the triangle of land formed on any corner lot by drawing a line between the points on the two lot lines which points are each 30 feet from the intersection of said lot lines shall be free from structures, except as otherwise permitted in this section; and any triangle of land formed along any side street by drawing a line between a point on the side lot line (which point is 15 feet from an alley or driveway which abuts the side street) and a point on the near side of such alley or driveway (which point is 15 feet from the side yard line) shall be free from structures, except as otherwise permitted in this section. Trees in such triangles shall be trimmed below at least seven feet above the curb to provide clear visibility up to that height, and shrubs, fences and walls therein shall not exceed two (2) feet in height.

The City Planner then reported that there might also be need for rezoning consideration of the Airport Industrial Park, depending upon the results of a public hearing by the Planning Commission on November 12th. It was moved by Councilman Wood, seconded by Smith, that a public hearing be scheduled for December 5th, 1968, and the City Clerk be authorized to publish an appropriate legal notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1231

AN ORDINANCE AMENDING SECTION 4-5-35, CITY CODE OF IDAHO FALLS, IDAHO, BEING A SECTION OF ORDINANCE NO. 1211, ORDINANCE OF IDAHO FALLS, IDAHO, BY DELETING FROM THE SCHEDULE OF WATER RATES CHARGED BY THE CITY THE ITEM DESIGNATED "CONSTRUCTION SERVICE _____ \$3.00"; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilman Nelson, seconded by Parish, that the provisions of Section 50-902 of the Idaho Code requiring all ordinances to be fully and distinctly read on three several days be dispensed with. The question being, "SHALL THE PROVISIONS OF SECTION 50-902 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, none; carried. The majority of all the members of the Council present having voted in the affirmative, the NOVEMBER 7, 1968

Mayor declared the rule dispensed with and ordered the ordinance placed before the Council for final consideration the question being, "SHALL THE ORDINANCE PASS?" Roll call as follows: Ayes, 6; No, none; carried.

Councilman Parish noted that certain objection has been raised to the bowling alley licensing as prescribed by City Code on the grounds that the amount being charged is excessive and discriminatory. Asked for comment, City Attorney Smith advised that State Statute permits annual business licenses for regulatory purposes but not solely for the purpose of revenue and if the Council were to see fit to amend the ordinance these are the factors that should be taken into consideration. Parish said the Bowling Association has informed him that certain corrective action has been taken in Boise in this regard. It was moved by Councilman Parish, seconded by Erickson, that the City Attorney be directed to investigate and verify said action and to then render a legal opinion for Council consideration, including in said opinion the annual license fee for pool tables. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood proposed that the Mayor and City Council request the Community Redevelopment Commission to expedite a survey and planning study to determine the feasibility of a redevelopment project in the Eagle Rock area. It was moved by Councilman Wood, seconded by Smith, that the City Council go on record as favoring and approving said proposal and that the Mayor be authorized to notify the Community Redevelopment Commission accordingly. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Parish, that the meeting adjourn at 8:15 P.M., carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
