

MARCH 21, 1968

The City Council of the City of Idaho Falls met in a Regular Council Meeting, Thursday, March 21, 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 Dale Parish, Jim Freeman, Mel Erickson, Jack Wood, Gordon Nelson. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Luther Jenkins, City Controller; Ray Browning, Building Official; Don Lloyd, Public Works Director.

Minutes of the last regular meeting, held March 7th, 1968, were read and approved.

The Mayor announced that this was the time and the place for a public hearing, as advertised, to hear any interested persons who might appear and show cause why the proposed and advertised 1968 budget should not be adopted or why the annual appropriation ordinance should not be passed and enacted. The Mayor said the Council would, also, accept and welcome other comments or questions pertaining to said proposed budget. Councilman Parish, Chairman of the Fiscal Committee, spoke briefly, explaining the reasons, in the opinion of the Council for the relatively small increase in mill levy and the fact that, in both instances, funds so collected would be going into dedicated funds for a particular purpose. Parish also mentioned several large expenditures of a non-recurring nature which were necessary for inclusion in the 1968 proposed budget including right of way for the 17th Street bridge, and one large transformer for the electrical system.

Mr. Aaron Robison, Bonneville County Assessor, appeared before the Council and presented certain statistical figures to the Council, relative to actual and estimated residential property values within the City. He noted that, in 1968, there would likely be additional increased values, exclusive of new construction, by reason of re-evaluation and urged the Council at this time, to take this factor into consideration in arriving at a mill levy. The Mayor assured Mr. Robison that, at the proper time, after the August certification, the Council would, as they have done in the past, consider rolling back the City mill levy sufficiently, by an amending ordinance, to offset any increases in tax receipts that would otherwise be realized.

Mr. C. R. Miller, 2300 E. 17th Street, appeared before the Council. Having learned through the news media that the Council was anticipating a two mill levy for a capital improvement fund, Mr. Miller registered concern toward establishment of such a policy. He said his comments should not be construed as indicating any lack of faith or confidences in the present administration, but was concerned as to what might happen to funds raised in this manner under a future administration. Councilman Parish explained that a capital improvement fund must be created by ordinance; that said ordinance will specify to what capital improvement projects the funds would apply; that said ordinance would limit and restrict this or any other administration as to the maximum accumulation permitted in the fund; finally, that the ordinance, if passed, would be as binding on future administrations as existing one.

Mr. Lester Beck, 420 E. 16th Street, appeared to protest the proposed budget which, he noted, was the largest in the history of the City and called for an increased mill levy, when no consideration was being given to senior citizens and others living on marginal or sub-marginal pensions.

In the absence of further comment, Councilman Parish introduced the following ordinance which would create and establish a capital improvements fund:

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ORDINANCE NO. 1203

AN ORDINANCE ESTABLISHING A CAPITAL IMPROVEMENTS FUND FOR THE CITY OF IDAHO FALLS; DESIGNATING THE CITY TREASURER CUSTODIAN OF ALL MONEYS IN SAID FUND; IDENTIFYING THE PURPOSE FOR WHICH SAID FUND SHALL BE USED; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

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

In summary, Councilman Parish said the proposed budget, as provided in the appropriation ordinance about to be submitted, revealed balanced revenues and expenditures in the amount of \$5,880,100 and total levy for all funds of 35.52 mills. It was moved by Councilman Parish, seconded by Freeman, that the 1968 budget, as proposed and advertised, be accepted and approved. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1204

AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATION OF THE CITY OF IDAHO FALLS, IN THE STATE OF IDAHO, AND FOR THE APPROPRIATION OF THE SEVERAL FUNDS AND PURPOSES DURING THE FISCAL YEAR 1968, AND PROVIDING THE NUMBER OF MILLS ON THE DOLLAR APPROPRIATED FOR EACH OF SAID FUNDS.

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

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By memo, the Building Official presented a written appeal from Mr. Eugene L. Krogh, Sr., 1608 Beverly Road, asking that the City Council reconsider a denial by the Board of Adjustment to permit construction of an addition to the existing dwelling at the above address which would result in a 12' rear yard. It was noted that the denial was based on the ordinance requiring a 25' rear yard set back. It was noted, further, that the original application was accomplished by a partition signed by thirteen near-by property owners, giving their consent to the proposed construction. The written appeal appears, as follows:

Idaho Falls, Idaho
March 13, 1968

City Council
Board of Adjustment
City of Idaho Falls, Idaho

Dear Sirs:

I wish to appeal the decision of the Board of Adjustment set forth in your letter dated March 1, 1968.

As I understand it, a Covenant is a stipulation in a deed or agreement among two or more persons to forebear some act of thing in regards to property planning. With this in mind I approached and obtained the signatures of agreement of 16 neighbors that the variance from the zoning plans in regards to my plans were acceptable to them. Since then I have asked them, because of your decision, from an aesthetic viewpoint, would they rather see an enlarged house to a two story or an increase in this ground level plan. Naturally, most of the reactions were in favor of the original request.

With a family of eleven, expansion is a vital and necessary thing in this household. So with all due respect we humbly request your reconsideration of this appeal.

Yours truly,
s/ Mr. & Mrs. Eugene
Krogh, Sr.
1608 Beverly Road
Idaho Falls, Idaho

Mr. Krogh personally appeared to say that the variance would not be as incompatible with the ordinance as it might appear on the surface, by virtue of the fact that his backyard abuts the side

yards of the adjoining property. He also advised that the present plans are favored by the neighbors, rather than construction of a second story. It was agreed that a decision would be difficult to make until the area was actually studied. Therefore, it was moved by Councilman Wood, seconded by
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Councilwoman Smith, that an on-site inspection be made by the appropriate Council Committee with other Councilmen invited and that, in the interim period, the matter be tabled. Roll call as follows: Ayes, 6; No, none; carried.

License applications for RESTAURANT, Blanche Faar for Sears Cafeteria, Stardust Restaurant, Millard's Donuts, Spudnut Shop, Skylark Restaurant, L.D.S. Temple; FOUNTAIN, Skateland; DAIRY, Rowland's, Inc.; PHOTOGRAPHERS, Diane Sielinsky at 1646 Westwood Ave., William Melville for Melville's, Qunicy Jensen at 1910 Bittern, Dr. M. Ray Longhurst for Ray's Cameraland; SKATING RINK, Merle Lofthouse for Skateland; BOWLING ALLEY, Bowl-ero, Millard's Snooker Room; SECOND HAND STORE, Circle Dot Furniture; MOTEL, W. J. McClanahan; DANCE HALL, Don's Bar, Stardust Lounge; ELECTRICAL CONTRACTORS, Snouffer Electric, Olsen Electric; JOURNEYMAN ELECTRICIAN, Virgil Price, Rue Stears, Charles J. Pendry, Thomas Snouffer; APPRENTICE ELECTRICIAN, Del Wilkins, Harold Kapp; BARTENDER, Earl J. Wochner, John M. Ransom, Laura B. Thurman; BEER (Canned, bottled, and draught, to be consumed on the premises), Francis M. McGarry & Edwin S. Cope for Fleet Reserve Association Club; BEER, (Canned and bottled to be consumed on the premises), Ted LeBaron for LeBaron's Coffee Shop, C. L. McCall for Highland Ball Park; CLASS C JOURNEYMAN, WET HEAT AND GAS FITTING, Gerald J. Lowe; JOURNEYMAN PLUMBER, Gerald J. Lowe were granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Building Official was then submitted:

City of Idaho Falls
March 21, 1968

MEMO TO: Honorable Mayor and City Council

We now have received the amendments to Volume I of the 1967 Uniform Building Code that were approved by the International Conference of Building Officials at Minneapolis, last September.

To bring our Code up to date, I recommend an ordinance be drafted to incorporate these amendments in our present Code.

Respectfully,
s/ Ray Browning
Building Official

It was moved by Councilman Wood, seconded by Councilwoman Smith, that the City Attorney be directed to prepare an ordinance for Council consideration, incorporating the amendments as recommended. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director came this memo:

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City of Idaho Falls
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TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: EQUIPMENT

The tentative budget has contemplated the purchase of a replacement packer and truck unit. In order to proceed with the preparation of specifications we request authorization to advertise for this containerized packer unit realizing procedures will preclude purchase until after the first of May.

s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that authorization be given to advertise for bids on the equipment as described. Roll call as follows: Ayes, 6; No, none; carried.

A final plat was presented on the Jossie Hughes Addition, Division No. 2. After thorough study it was moved by Councilman Wood, seconded by Smith, that the plat be accepted and the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

Inasmuch as the developers of the foregoing area had requested its annexation which met with the approval of the Planning Commission and had agreed to terms and conditions of annexation as required by the Engineering Department, it was moved by Councilman Wood, seconded by Smith, that the Mayor and City Clerk be authorized to sign the annexation agreement of the Jossie Hughes Addition, Division No. 2. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1205

AN ORDINANCE ANNEXING CERTAIN LANDS TO THE CITY OF IDAHO FALLS; DESCRIBING SAID LANDS AND DECLARING SAME A PART OF THE CITY OF IDAHO FALLS, IDAHO (JOSSIE HUGHES ADDITION, DIVISION #2)

The foregoing Ordinance was presented in title. It was moved by Councilman Wood, 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, 6; 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, 6; No, none; carried.

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The foregoing addition having been annexed, it was moved by Councilman Wood, seconded by Smith, that the Planning Commission recommendation be upheld, the area be zoned R-1 and the Building Official be directed to incorporate said initial zoning on the official zoning map, located in his office. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor reappointed Mr. Richards Poitevin to another five year term as a member of the Board of Adjustment and Mr. Donald Ellsworth as a four year member on the same Board to replace Mr. Vince Mullin. It was moved by Councilman Wood, seconded by Smith, that these appointments be confirmed. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Wood, presented the following memo from the Airport Manager:

City of Idaho Falls
March 19, 1968

TO: Mayor and City Council
FROM: Jack A. Wood, Jr. - Chairman, Airport Committee
SUBJECT: AIRPORT FARM LEASE

Mr. Floyd Jeffrey, present lessee of approximately 45 acres of airport farm land, wishes to cancel this lease because of health.

Messrs. Wiley Snarr and Edward Dickson have bid to lease this property for a period of 5 years on a cash basis. Although Mr. Dickson's offer is higher, the Airport Committee recommends that this property be leased to Mr. Snarr, a present lessee of 182 acres of City airport farm land. This recommendation is on the basis of Mr. Snarr's previous performance. The parcel involved lies contiguously to his presently leased property and restores acreage previously withdrawn from his lease, occasioned by the airport lengthening last year.

Favorable consideration on this matter is requested.

It was moved by Councilman Wood, seconded by Smith, that the 45 acres of Airport land, previously farmed by Floyd Jeffrey be turned to Wiley Snarr, under a lease, for farming purposes for the reason as stated. Roll call as follows: Ayes, 6; No, none; carried.

It was moved by Councilman Nelson, seconded by Parish, that the City advertise for the procurement of asphalt for 1968 street patching and or the use during the year of a central mixing

plant for the production or preparation of hot asphaltic mix. Roll call as follows: Ayes, 6; No, none; carried.

It was moved by Councilman Freeman, seconded by Parish, that the meeting adjourn at 9:00 P.M., because of no further business. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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