

AUGUST 10, 1967

The City Council of the City of Idaho Falls met in a Recessed Regular Meeting, Thursday, August 10, 1967, at 7:30 P.M. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor S. Eddie Pedersen; Councilmembers Lyn Smith, Jack Wood, Jr., Gordon Nelson, Dale Parish, Jim Freeman, and Mel Erickson. Also present: Roy C. Barnes, City Clerk; Robert Fanning, representing the City Attorney firm of Albaugh, Bloem, Smith & Pike; Luther Jenkins, City Controller; Don Lloyd, Public Works Director; Robert Pollock, Police Chief; Ray Browning, Building Official.

Minutes of the last Recessed Regular Meeting, held July 27th, 1967, were read and approved.

The Mayor announced that this was the time and the place for a public hearing to consider the zoning or rezoning of several parcels of property, as advertised. First to be reviewed was a rezoning petition of the Farr Candy Company, requesting rezoning from HC-1 to GC-1, of Lots 36 to 40 inclusive, Block 16, Mayflower Addition. There were no protests. The Planning Commission had recommended approval. It was moved by Councilmember Wood, seconded by Smith, that this rezoning be approved. Roll call as follows: Ayes, 6; No, none; carried.

The next rezoning petition was that of Herbert Martindale, asking that the south 70 feet of Lots 45, 46, 47 and 48, Block 15, South Park Addition be rezoned from R-2 to C-1 to permit construction of a retail milk station. It was noted that the Planning Commission had recommended denial on the grounds that this would constitute spot zoning. Mr. George Gibson, 1715 Calkins Avenue, appeared before the Council, protesting this proposed rezoning on the grounds that this would create an additional traffic hazard. Mr. Lloyd Stalker, residing at 395 Maple, but a property owner on South Boulevard, appeared before the Council, also, to register a protest on the grounds that said rezoning, if permitted, would set a precedent for lower zoning south on Boulevard. It was moved by Councilmember Wood, seconded by Smith, that this rezoning petition be denied. Roll call as follows: Ayes, 6; No, none; carried.

Finally, in the order of initial zoning, certain railroad right-of-way from the John's Hole Bridge to Lindsay Boulevard was presented, carrying a Planning Commission recommendation from GC-1 zoning. There were no protests. It was moved by Councilmember Wood, seconded by Smith, that this recommendation be upheld and the property in question be zoned GC-1. Roll call as follows: Ayes, 6; No, none; carried.

This concluded the zoning hearing. The Mayor instructed the Building Official to incorporate the foregoing zoning and rezoning on the official zoning map, located in his office.

Noting a contingent of Riverside residents in the Council Chambers and acknowledging that they were present to urge the Council's favorable consideration toward the creation of a Local Improvement District in their area to correct the storm drainage problem, the Mayor asked Public Works Director Lloyd for an Engineering report accordingly. Lloyd said that there had been recent petitions filed in his office by 42 signers, all residents on H., I., J., L. Streets and Canal, Idaho, Mound, and Sage Avenues, favoring such a district and that, as a result the Engineering Department had made a study of the area. Illustrating by slide, Lloyd showed the probable boundaries which included the following: Virtually all of the Riverside Addition and the South Hillcrest Addition; that portion of Dwight's Addition lying west of the railroad tracks; that portion of the Original Town Site

lying between G. and L. Streets incorporating the eastern portion of the L.D.S. Temple and hospital grounds and the north half of Blocks 2, 3 and 4 of the Railroad Addition; the south half of Block 79

AUGUST 10, 1967

and 80, Highland Park Addition, that portion of Section 18, T. 2 N., R. 38, E.B.N., lying adjacent to the South Hillcrest Addition. Lloyd explained that, according to the Engineering study, all of the foregoing areas contribute to the drainage problem in question. Lloyd concluded his remarks by saying that, on August 11, 1964, an informal meeting was held on this problem and there was sufficient protest at that time to the creation of a district that a recommendation was made to the Mayor and Council that the program not be pursued.

Mr. Rulon Price, local attorney, appeared before the Council identifying himself as representing those present. He said that, within the past three years, certain properties have changed hands and many property owners have changed their minds. Lloyds said the district, engineering-wise is feasible and workable by making use of the large sewer tunnel along G. Street and northerly to Mound Avenue.

Mr. L. R. Parker, 645 J. Street, appeared before the Council, speaking in favor of the proposed district and describing the sewer pressure at the time of a storm which literally removes the tins from below, placed there by the Sewer Department to recede the incoming flow.

Mr. S. R. Wilkerson, 690 I. Street, also appeared speaking favorably for the proposed district and describing some of the problems which have been experienced, due to flash floods. Mr. Howard Price, 640 I. Street, appeared also favoring the district but proposing and urging that the boundaries, as described by the Public Works Director, be widened to incorporate the entire area which, in his opinion, contributed to some degree to the problem. Other unidentified parties appeared and spoke briefly in favor of the district and also urging that measures be taken to correct the problem of the tins placed over catch basins to recede drainage. It was learned that they are often moved, either by residents or by flood waters.

Lloyd re-appeared and said this would be corrected by the use of heavier materials, more securely fastened down. Councilman Nelson noted that up until recently, 17th Street has been given top priority in Engineering work projects but that this problem could now be moved up into that position. In the absence of further comment, it was moved by Councilman Wood, seconded by Parish, that the Engineering Department give top priority to the Riverside drainage problem and that the City Attorney be instructed to prepare a declaration of intent, by resolution, for the creation of this Local Improvement District. Roll call as follows: Ayes, 6; No, none; carried.

Mr. Ned Mitchell, 1024 Kearney Street, appeared before the Council, reporting satisfaction with the cooperation received from the Police Department relative to the previously discussed disturbance problems in his residential area. At the request of the Council, Police Chief Pollock appeared to report that his Department had talked with all neighbors and had received their cooperation. Pollock said the primary problem had been one of lack of reporting. He agreed that there had been gas thievery and reckless driving, which by said patrolling, has been virtually eliminated.

Bills for the month of July, 1967, having been properly audited by the Fiscal Committee, were presented in caption form, as follows:

AUGUST 10, 1967

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$183,559.10	\$177,631.06	\$361,190.16
Fire Bonds	54,299.23	3,460.15	57,759.38
Water & Sewer Fund	13,897.51	20,505.03	34,402.54
Electric Light Fund	54,268.49	92,652.07	146,920.56
Recreation Fund	16,527.49	2,240.32	18,768.10
Police Retirement Fund	<u>2,628.01</u>	<u>.00</u>	<u>2,628.01</u>
<u>TOTAL FUNDS</u>	\$325,180.12	\$296,488.63	\$621,668.75

It was moved by Councilman Parish, seconded by Wood, 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 July, 1967, and, there being no objections, were ordered placed on file in the office of the City Clerk.

License applications for ELECTRICAL CONTRACTOR, Alva Lewis Construction; APPRENTICE ELECTRICIAN, Boyd Woodhouse, Rees J. Crockett; JOURNEYMAN PLUMBER, Robert C. Brown, Lyn M. Andrew, Leon H. Smith, Marcel D. Corbeil; PEDDLERS (home grown produce) Delbert G. or JoAnn B. Larsen; BARTENDERS, Edna Garner, Felicia Schluter, Verlee Oseen, 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, 6; No, none; carried.

This memo from the Purchasing Department was read:

City of Idaho Falls
August 10, 1967

Office of the Purchasing Agent

Resurfacing Tennis Courts

Honorable Mayor and Councilmembers:

The Purchasing Department and Parks Department request approval to advertise for bids for resurfacing tennis courts at 7th and Wabash with two colors of wear coat materials at an estimated cost of \$3800.00.

s/ W. J. Skow
Purchasing Department

AUGUST 10, 1967

It was moved by Councilman Freeman, seconded by Nelson, that advertisement for bids be authorized as recommended. Roll call as follows: Ayes, 6; No, none; carried.

From the Public Works Director, the following was submitted:

City of Idaho Falls
Public Works
August 2, 1967

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: SLURRY SEAL COATING AT FANNING FIELD

Two bids were received August 1 for slurry seal at Fanning Field.

Gray Landscaping Inc.	\$19,880
Robert V. Burggraf Company	\$17,760

These bids have been reviewed by the Engineering Department and we are recommending that the low bidder, Robert V. Burggraf Company be awarded a contract in the amount of \$17,760.

Respectfully submitted,
s/ Donald F. Lloyd

Councilman Nelson registered concern as to whether or not slurry seal is the solution from the standpoint of any degree of permanent maintenance. It was noted that Airport Manager Hill was out of the City. It was moved by Councilmember Wood, seconded by Smith, that these bids be tabled for further consideration and study at a later date, after conferring with the Airport Manager. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1192

AN ORDINANCE VACATING AN ALLEY IN BLOCK TEN (10), WEST BROADWAY ADDITION TO THE CITY OF IDAHO FALLS, IDAHO, FOR THE SOLE USE OF THE OWNER OF THE ADJOINING LAND; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilmember Parish, seconded by Erickson, that the provisions of Section 50-2004 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 50-2004 OF THE IDAHO CODE REQUIRING ALL ORDINANCES TO BE READ ON THREE SEVERAL DAYS BE DISPENSED WITH?" Roll call as follows: Ayes, 6; No, AUGUST 10, 1967

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.

This communication was read aloud and studied:

Ferebauer & Barnard
Attorneys at Law
August 4, 1967

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

RE: School District #93 Falls Valley Elementary School

Dear Sir:

We have been requested to contact the City of Idaho Falls, by School District #93, relative to the Falls Valley Elementary School, that is located within the limits of the City of Idaho Falls.

The School District is planning on using the elementary school this coming season and feels that there is a need for some traffic control in the area, due to the heavy automotive traffic on First Street.

Will you kindly give this matter your consideration at your convenience.

Thank you for your assistance in this matter.

s/ John Ferebauer

It was moved by Councilman Erickson, seconded by Freeman, that this be referred to the Traffic Safety Committee for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

Next, in the form of communications, the following was presented:

Ferebauer & Barnard
Attorneys at Law
August 4, 1967

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

AUGUST 10, 1967

RE: Western Powder Company Storehouse

Dear Sir:

Western Powder Company of Salt Lake City has maintained their small concrete block storehouse for the storage of explosives in a portion of the Northwest Quarter of Section 9, Township 2 North, Range 38 E.B.M., which property has recently become the property of the City of Idaho Falls.

It is now our understanding that the City is rather hesitant about renewing the lease that was previously in existence under the former owner, due to the inherent hazard, which may be increased through more active use of the property involved, for park purposes.

The Western Powder Company has requested that we contact your office on the possibility that the City might desire to purchase the block house and keep it on the property as a storage quarters. Western Powder has suggested that they could accept \$500.00 for the storage building.

Will you kindly give this matter your consideration as soon as convenient and advise.

Very truly yours,
s/ John Ferebauer

It was moved by Councilman Freeman, seconded by Nelson, that this be referred to the City Attorney so that he might review the original lease with Western Powder and make recommendation to the Council accordingly. Roll call as follows: Ayes, 6; No, none; carried.

Finally, in the form of communications, this letter was read:

St. Clair, St. Clair & Hiller
July 21, 1967

Arthur L. Smith, Esq.
City Attorney
Albaugh, Bloem, Smith & Pike
P.O. Box 428
Idaho Falls, Idaho

RE: Clarence A. Frickey

Dear Art:

AUGUST 10, 1967

My neighbor in Skyline Terrace called me over to his house the other night right after one of our heavy rains. His lawn and his surrounding neighbors' lawns were under water because of the rain. After a period of approximately an hour, the water drained off through the storm sewer leaving mud and debris over the lawns and sidewalks.

Obviously the storm sewers are very inadequate. Apparently this has been called to the City's attention on several previous occasions but nothing has been done. Mr. Frickey's address is 1676 Brenthaven. I would most appreciate having you refer this letter to the proper City officials and ask that the matter be investigated and what action will be taken to enlarge or care for the storm sewer to avoid this problem in the future.

Thank you for you time and attention.

Yours very truly,
s/ M. B. Miller

It was moved by Councilman Nelson, seconded by Parish, that this be referred to the Public Works Committee for their acknowledgement, information and study. Roll call as follows: Ayes, 6; No, none; carried.

There being no further business, it was moved by Councilman Freeman, seconded by Nelson, that the Meeting adjourn. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
