The City Council of the City of Idaho Falls met in a Recessed Regular Meeting, Thursday, June 29, 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 Smith, Nelson, Parish, Freeman, Erickson and Wood. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Les Corcoran, Fire Chief; Rod Gilchrist, City Planner; Ray Browning, Building Official.

Minutes of the last Recessed Regular Meeting, held June 8th, were read and approved.

Noting the presence in the Council Chambers of William Cole from the local office of the State Board of Health and Lowell Roskelly from the office of the City-County Sanitarian, the Mayor asked that the following ordinance be again considered:

ORDINANCE NO. 1189

AN ORDINANCE ADOPTING AS HEALTH REGULATIONS FOR THE CITY OF IDAHO FALLS A STATE OF IDAHO CODE TITLED "HEALTH REGULATIONS FOR EATING PLACES AND FOOD ESTABLISHMENTS, GRADING AND LICENSING" WHICH CODE INCORPORATES BY REFERENCE, AND INCLUDES, THE COMPLIANCE PROVISIONS OF THE 1962 EDITION OF THE "UNITED STATES PUBLIC HEALTH SERVICE FOOD SERVICE SANITATION MANUAL AND CODE"; REPEALING TITLE 8, CHAPTER 1 OF THE CITY CODE OF IDAHO FALLS; PROVIDING THAT WHEREVER "STATE OF IDAHO" IS USED IN SAID CODE, IT SHALL BE CONSTRUED TO MEAN "CITY OF IDAHO FALLS", AND WHEREVER "HEALTH AUTHORITY" IS USED IN SAID CODE, IT SHALL BE CONSTRUED TO MEAN "HEALTH DEPARTMENT OF THE CITY OF IDAHO FALLS OR ITS DULY AUTHORIZED AGENTS"; PROVIDING FOR THE ISSUANCE OF PERMITS BY THE CITY OF IDAHO FALLS TO FOOD SERVICE ESTABLISHMENTS, FOOD PROCESSING ESTABLISHMENTS, AND FOOD SERVICE EMPLOYEES; PROVIDING PENALTIES FOR VIOLATION OF THE ORDINANCE; DECLARING AND REQUIRING THAT THREE COPIES EACH, OF SAID CODES, DULY CERTIFIED BY THE CITY CLERK, ARE, AND SHALL REMAIN, ON FILE IN THE OFFICE OF THE CITY CLERK; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The Councilmembers were of the opinion that, by now, it had received ample publicity. There were no protests. It was moved by Councilmember Wood, seconded by Smith, that this ordinance be passed on its second and third readings. Roll call as follows: Ayes, 6; No, none; carried.

License applications for FIREWORKS, Sid Stephenson for Albertson's at 1st and Holmes, A. Ivan Burden for B & B Drug Co., Fay Marler for Ben Franklin Store, Val Middleton for Hyway Drug, Walter J. Coyne for Idaho Food King #1, Raymond C. Packer for West 17th Food King, Gerald Robbins for Jerry's Ribbon Food Service, Jerold D. Epperly for Elm Street Jiffy Market, Stephen

Johnson for Johnson's Fruit Market, Katz Nukaya for Katz Pharmacy, Chad K. Anderson for I. F. 25th Ward for parking lots at Sears and Aiman's, Andy Stavros for Midget Market, Harold Tobin for Monty's Food King, Frank Hoffman for OK Food Store, Noble Lindberg for Osco Drug, Jack Carey for Pay'n Save Drug, Acie J. Wood for Russ's Market, Ken Slusser, Jr. for Slusser Wholesale, Leo Jensen for Sprouse-Reitz, Don Jones for Village Market; MOBILE CONCESSION UNIT, Lloyd F. Petersen for five L.D.S. Stakes July 24th Celebration; PHOTOGRAPHERS, Doris A. Watkins for Color Classics of Denver, Colorado; JOURNEYMAN ELECTRICIAN, Elmer Scherbinski; APPRENTICE ELECTRICIAN, Douglas Wheeler with Wheeler Electric, Phillip E. Baldres with C. L. Electric, William M. Johnson with Bauchman's Electric; CLASS D JOURNEYMAN, WARM AIR HEATING, Jack Osborne; JOURNEYMAN PLUMBER, Gerald M. Marlatt, Lloyd H. Woodbridge; CLASS D APPRENTICE REFRIGERATION, Gary Harrop with Bonneville Service; BEER, (Canned and bottled, to be consumed on the premises), Wayne Jones for Highland Ball Park; BARTENDER, Dennis R. Stewart, Dee Ann West, Buddy Rich, Edward J. Kocjan, Mervin A. Cook, Merle C. Stenquist, Jack E. Chin, Monte B. Dick, Dee Prichard and Bonnie Mae Telford for CAB DRIVERS, 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.

Special consideration was given one application for an apprentice electrician license in the name of Douglas Wheeler then it was learned the applicant was a minor. The City Attorney reported he had searched the statute and had found nothing illegal about the issuance of such a license but he warned that the license should carry with it certain restrictions and limitations. It was moved by Councilmember Wood, seconded by Smith, that this license be granted, subject to the following wording being stated clearly on the license: "This license shall not be construed to countenance the violation of any State or Federal law, or lawful regulation, governing the employment of minors." Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk drew attention to the fact that, on June 12th and with informal approval of the Council, the Mayor and City Clerk signed a lease renewal with Western Airlines expiring December 31st, 1971. It was moved by Councilmember Wood, seconded by Smith, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor drew attention, also, for the need to ratify the Council's recent informal action in requesting the Community Re-development Committee to make an appraisal for the plans for community re-development as presented by the Planning Consultants and submit their recommendations for Council consideration. It was moved by Councilman Wood, seconded by Erickson, that this action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

A memo was presented from the City Insurance Adjustor, recommending, after due investigation, that the Kenneth Peart damage claim be denied. It was moved by Councilman Parish, seconded by Wood, that this recommendation be upheld and the damage in question be denied. Roll call as follows: Ayes, 6; No, none; carried.

A City redemption tax deed was presented in favor of James Sykes, accompanied by an appropriate resolution, as follows:

R E S O L U T I O N (Resolution No. 1967-24)

WHEREAS, the City of Idaho Falls, did, under and pursuant to the provisions of Chapter 29, Title 50, Idaho Code, and by deed of the City Treasurer dated the 20th day of May, 1966, recorded as described real property, to-wit:

> Lots Twenty-five (25) and Twenty-six (26) of Block Ten (10), Highland Park Addition to the City of Idaho Falls, Idaho, as per the recorded plat thereof.

WHEREAS, JAMES SYKES has offered to pay to the City of Idaho Falls the amount for which said property was sold to the City, together with all the installments of assessments subsequent to the one for which said property was sold and then due, together with penalties and interest thereon;

NOW THEREFORE, BE IT RESOLVED:

That the Mayor and City Clerk be, and they hereby are, authorized and directed, upon the payment of said sum of money by said purchaser to make, execute and deliver to the said James Sykes a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 29th day of June, 1967.

APPROVED BY THE MAYOR this 29th day of June, 1967.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was moved by Councilman Freeman, seconded by Erickson, that the Mayor and City Clerk be authorized to sign the resolution and the deed. Roll call as follows: Ayes, 6; No, none; carried.

A notice of completion of public works was submitted, covering the Booster Pump Station and waterline for the municipal golf course. It was moved by Councilman Nelson, seconded by Freeman, that the City Clerk be authorized to publish, as required by law. Roll call as follows: Ayes, 6; No, none; carried.

From the Purchasing Department this memo was presented:

City of Idaho Falls
Office of the Purchasing Agent
June 27, 1967

One (1) Refuse Packer Body

Honorable Mayor and Councilmembers:

Tabulation of bids for one (1) refuse packer body is attached.

Evaluation of bids received show Western Road Machinery Company of Idaho Falls submitting the low bid of $3,556.25 with trade-in, meeting specifications called for.

It is the recommendation of the Public Works and Purchasing Department that this bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Nelson, seconded by Parish, that the low bid be accepted as recommended. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Fire Chief was submitted and read:

June 29, 1967

MEMORANDUM

TO: Honorable Mayor and City Council
FROM: Les Corcoran, Fire Chief
SUBJECT: RECIPROCAL FIRE FIGHTING ASSISTANCE AGREEMENT BETWEEN THE CITY OF IDAHO FALLS AND THE BONNEVILLE COUNTY FIRE PROTECTION DISTRICT NO. 1

I hereby submit the attached Procedures of Operation as a proposed means of implementing a mutual aid fire fighting agreement between the City of Idaho Falls and the Bonneville County Fire Protection District No. 1.

The procedures state at which times City firefighters and apparatus may be used to fight fires in the Fire District and at which times Fire District firefighters and apparatus may be used to fight fires within the City Limits.

The procedure of such an agreement is to augment the fire fighting forces of either party at times when their own facilities and manpower are inadequate to cope with large or numerous fires.

Mutual aid agreements are working very successfully in all parts of the Country. Many areas in Idaho have such agreements in operation.

This proposed agreement has the full approval of the Idaho Surveying and Rating Bureau who have constantly sought this type of cooperation between fire departments.

We hope in the future to be able to enter into similar agreements with surrounding communities and by so doing, allow each of us to be better prepared to handle our fire problems.

We ask your consideration of this agreement at this time.

s/ Les Corcoran
Fire Chief

Based upon the foregoing recommendation, the following supplement to a previously approved joint agreement was presented and studied:

SUPPLEMENT TO JOINT AGREEMENT

WHEREAS, The City of Idaho Falls, Idaho, a municipal corporation, herein designated "City", and Bonneville County Fire Protection District No. 1, herein designated "District", entered into a Joint Agreement for cooperative use and employment of fire-fighting equipment and personnel by the parties;

WHEREAS, The said parties desire that the said Joint Agreement remain in full force and effect but that said Agreement be implemented, clarified and further detailed;

NOW, THEREFORE, the above parties further mutually agree as follows:

1. District crews will respond with the City Crash Truck to any aircraft emergency at Fanning Field and act as a nurse truck to Engine 10.

2. District crews will respond to fires in Engine 3 territory when in the opinion of the alarm operator, City crews are not readily available because of other emergencies.

3. On a second alarm in the City, District Engine No. 1 will relocate to Station No. 1 and will stand by to answer any additional fire calls.

4. When District Engine No. 1 is operating on a fire and is not available when a second fire occurs in their territory, two City firemen will answer the second call with a reserve City engine and operate on the fire until relieved by the District crew. Off-duty

personnel may be called back if it is felt necessary to bring on-duty manpower up to a proper level.

5. Whenever the officer in charge of District Engine No. 1 feels he cannot control a fire with what equipment he has, he may ask a City engine company to respond and assist.

6. If the District engine should break down, be involved in an accident or for any reason be unable to respond, two City firemen and reserve engine will respond.

7. In all cases, when District crews are operating within the City, they will be under the command of the City officer in charge if City personnel are at the scene. When City crews are operating in the Fire District, they will be under the command of the District's officer in charge.

8. Either party may at any time recall their apparatus and manpower if it becomes obvious that they are needed in their own territory after properly notifying the officer in charge of the other fire department.

9. Any conditions not covered in this agreement and requiring immediate action may be handled by the officers in charge of the respective fire departments to the best of their ability following as near as possible the procedures listed above.

IN WITNESS WHEREOF, the City has caused these presents to be executed by its Mayor thereunto by resolution of its Council duly authorized, and the District has caused these presents to be executed by its president whereunto by resolution of its Board the _____ day of June, 1967.

CITY OF IDAHO FALLS, IDAHO
By _____
MAYOR

BONNEVILLE COUNTY FIRE
PROTECTION DISTRICT NO. 1
By _____
PRESIDENT

It was moved by Councilman Erickson, seconded by Freeman, that the Mayor be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor felt that this would be an appropriate time to read the following letter:

CITY AND COUNTY OF DENVER
Department of Fire
June 27, 1967

S. Eddie Pedersen
Mayor
Idaho Falls, Idaho

Dear Mayor:

I am writing this letter to let you know that it was a real pleasure to have made your acquaintance at the 1967, Idaho State Fire School. I have attended Fire Schools all over the United States as a representative of the Denver Fire Department. (Purdue, Chicago, Illinois Seminary, Ansul Fire School, U.C.L.A. College in California, and the Memphis Instructors Conference, as well as other Fire Schools in Wyoming, Nebraska, New Mexico, Arizona, Kansas, and Colorado) and I can truthfully say that I have never attended one that was run as efficiently and orderly or that was as well organized as the 1967 Idaho State Fire School.

Les Corcoran, your Fire Chief, is a loyal employee of yours and to the City of Idaho Falls, and I might add one that you can be very proud of. He is a dynamic organizer that kept things moving at a fast, well disciplined pace. In short he is the type of a man that makes the Fire Service look good.

I also want to take this opportunity to thank you and the Idaho Falls Fire Department for inviting me to be one of the instructors for the Fire School.

Very truly yours,
s/ Myrle K. Wise
Assistant Chief Denver Fire Dept.

The Mayor extended his commendation to the Fire Chief in this regard.

The City Clerk presented and read the following:

666 East 16th Street
Idaho Falls, Idaho
June 16, 1967

Mr. James R. Freeman, Member
City Council
308 "C" Street
Idaho Falls, Idaho

Dear Mr. Freeman:

At the luncheon meeting on June 13, 1967, a discussion between Mayor Pedersen, members of the City Council and myself was held on possible site locations on City owned property for the Child Development Center. One suggested possible site was the property adjacent to the Speech and Hearing Clinic. In a meeting on the evening of June 13, 1967, favorable comments were expressed for such a location by various representatives of the Eastern Idaho Health and Social Services Incorporation. Therefore, it appears appropriate for a more formal expression of intent by the City be recorded at a regular session of the City Council. If the intent regarding leasing this land for a possible site be favorable, the lease arrangements with the City would be negotiated at a later date.

Inspecting the preliminary sketches of the Center furnished by the State Department of Health indicates there is more than ample land between the Speech and Hearing Clinic and the present east-west road to locate the center. Several reasons for the desirability of this location for the Center can be given. Some desirable reasons are:

1. With the Child Development Center being located in close proximity to the Speech and Hearing Clinic, maximum utilization could be made of the latter and there would be mutual benefit to both.

2. The playground located south of the east-west road would make ideal space for outdoor activities. In addition, Tautphaus Park is close by the effective use could be made of the park.

3. There is relatively light traffic on Rollandet Avenue which would lessen possible traffic dangers to the children.

Thank you for your considerations.

s/ George W. Griffing

Mr. George Griffing appeared before the Council and verbally amended his letter, saying that, after talking to Councilman Freeman, a more suitable location for a child development center would be on 21st Street between the Speech and Hearing clinic and the new armory. Mr. Griffing said he realized that such a project would require much financial support and planning and that the main purpose in the presentation of his letter was to seek an indication of interest from the Council. Councilman Freeman proposed that the Council action at this time be limited to the building area and future negotiations could determine the extent of the play parking area. It was moved by Councilman Freeman, seconded by Nelson, that the Council go on record as favoring the project as proposed by Mr. Griffing's group and also cooperating with them by agreeing that, at the proper time, the City enter into a lease for sufficient land for an appropriate building site. Roll call as follows: Ayes, 6; No, none; carried.

This resolution was introduced and read aloud:

R E S O L U T I O N (Resolution No. 1967-25)

THIS RESOLUTION, made and executed this 28th day of June, 1967, by the undersigned Municipal Organization.

WITNESSETH:

WHEREAS, the Community Re-development Commission of the City of Idaho Falls has reviewed the proposed re-development plans of the Downtown Area, and

WHEREAS, THEREFORE, be it resolved that the Community Re-development Commission of the City of Idaho Falls recommends that the City Council of the City of Idaho Falls take the following action:

1. Approve the general concepts of the plans for the Central Business District, and the Civic Complex south of Broadway, as presented by Clark, Coleman, and Rupeiks, Inc. It would be our understanding that by such approval, the City would proceed without delay to take such action as it can to implement these plans.

2. Apply for an Urban Renewal Planning Study Grant, to determine the feasibility of the proposed development south of Broadway.

3. Examine the possibilities of forming a Local Improvement District for the construction of the Mall and related facilities north of Broadway.

WHEREAS, the undersigned Municipal Organization is duly authorized to sign and execute this Resolution on the day and year first above written.

COMMUNITY RE-DEVELOPMENT
COMMISSION

By: s/ John Smith, Chairman
s/ K. P. Slusser
s/ Milton A. Romrell
s/ Ed Fanning
s/ Charlie Just

Mr. John Smith, Chairman, appeared before the Council, saying he had nothing to add to that contained n the resolution but, instead, was present only to answer questions. Asked if the three major proposals contained in the resolution should be considered separately, Mr. Smith answered in the negative, explaining that each proposal complimented one another and that the Commission

would prefer consolidated action. Mr. Smith said he knew of at least two businesses interested in expanding into this area but were looking, first, for some official verification that it is ear marked for development as proposed by the City's planning consultants. Mr. Smith continued by saying that it is a misconception to think in terms that the area in question would be developed all at one time. Instead, he said it would probably take several years. Councilman Erickson asked about other suggested areas for development. City Planner Gilchrist said the only other area that had been given serious consideration was the one north of the downtown business district and that this must wait for the freeway to be constructed. Councilman Nelson expressed apprehensiveness about endorsing the concept until it has been given more publicity, noting that it had been presented to the Council just two days earlier. Mr. Smith said the Commission was not asking for Council endorsement of specific uses but, rather, general land use. Councilman Parish said that, in his opinion, one could not be divorced from the other. Parish said that this is a very important issue with the Council and every facet must be considered. Councilman Nelson concurred and added that any adverse public opinion on the matter would be directed toward the Council rather than the Commission. At this time, the Mayor considered it appropriate to present and read the following letter:

1090 East 21st Street
Idaho Falls, Idaho
June 27, 1967

Mayor S. Eddie Pedersen
308 C Street
Idaho Falls, Idaho

Dear Eddie:

I'd like to give you the benefit of my observations at today's meeting more as an interested citizen and not in my official role.

It became rather clear that neither the museum nor the library should get involved in the immediate decision of going ahead with the urban renewal study south of Market Street. To mix either of the current problems of a museum or library into the general forward planning is surely letting the "tail way the dog".

Quite apart from the urban renewal plan one must examine alternates which will take these two projects off the critical path and safely postpone their final disposition until they can be integrated into the master plan.

I'm no library expert but I can assure you, as I discussed with you last week, much can be done in operational policy of the existing facility to accommodate interim relief. The downstairs children's library should be open evenings and possibly could be rearranged to accommodate evening over-flow from the main library. The facility could be open an

additional hour in the evening and on Sunday. Schedules could be arranged for the two high schools if necessary on a temporary basis. These and other alternates should be examined prior to making a costly premature decision on a new facility location.

The museum could go ahead on a temporary basis in some location chosen to minimize any deviations from the general criteria for good service. I am beginning to appreciate that the formation of autonomous boards does not provide the necessary flexibility that you need for a harmonious solution to the problem at hand. Any committee you appoint should be advisory only and charged with a responsibility of full cooperation with your long range City planning.

I hope you will accept this candid appraisal without feeling any obligation because I'm a novice in your area of expertise, but I felt everyone could have been pulling together if an immediate resolution of the museum and library problem could find an alternate path.

Sincerely yours,
s/ C. Wayne Bills

Mr. Smith said the main thing the Commission was seeking was proper zoning of the area which would provide the necessary control of all future development. Councilman Nelson proposed a joint meeting of the Council and Commission members as a means of acquiring a better understanding of the Commission's objectives. Nelson concluded his remarks by noting that a local improvement district must be initiated by the affected property owners and that this could be done at anytime. It was moved by Councilman Erickson, seconded by Nelson, that this matter be tabled and that a joint meeting, as suggested, be arranged for detailed study of all that which is contained in the resolution. Roll call as follows: Ayes, 6; No, none; carried.

By memo, the City Planner introduced the following resolution:

R E S O L U T I O N (Resolution No. 1967-26)
SUBJECT: PLATTING AND ANNEXATION

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL:

Section 1. That the document titled "Platting Procedure", dated May ___, 1967, a copy of which is annexed hereto and made a part hereof, be, and the same is hereby, adopted as the platting procedure of Idaho Falls, and that the City and its agents shall follow and enforce the same, except as otherwise ordered by the Planning Commission, and/or the City Council.

Section 2. That the document titled Annexation Agreement, a copy of which is annexed hereto and made a part hereof, be, and the same is hereby adopted as the general form of agreement to be executed by the City and all developers requesting annexation of lands to the City. No lands shall be hereinafter annexed by request of the developer until an

agreement in such form is executed and filed with the City Engineer. The general form of agreement shall not be varied except upon order of the Mayor and City Council, but it is contemplated and directed that details embodied in each Annexation Agreement shall be set forth as such details shall be agreed upon between each developer and the City, reflecting solutions to problems peculiar to the land area to be annexed.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 29th day of June, 1967.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

It was noted that local developers had been given ample opportunity to study the proposed platting procedure and the annexation agreement form and considered both generally acceptable. It was moved by Councilmember Wood, seconded by Smith, that this resolution be adopted, thus approving and accepting the platting procedure and the annexation agreement form as recommended. Roll call as follows: Ayes, 6; No, none; carried.

Also from the City Planner this memo was submitted:

City of Idaho Falls
June 29, 1967

MEMORANDUM

TO: Roy C. Barnes
FROM: Rod Gilchrist
SUBJECT: WORKABLE PROGRAM FOR COMMUNITY IMPROVEMENT

The Workable Program for Community Improvement has been completed in draft form and reviewed by the City Council.

This Program must be submitted to the Department of Housing and Urban Development, and certified as satisfactory prior to commencing any renewal, rehabilitation, or housing project.

I feel that this Program should be prepared in final form and submitted to the Department of Housing and Urban Development as soon as possible in order to gain the necessary certification for the City of Idaho Falls.

Yours very truly,
s/ William R. Gilchrist
City Planner

Having studied this program for the past six months the Councilmembers were completely versed as to its contents and no further discussion was considered necessary prior to taking official action. It was generally known and recognized that this program was voluminous and comprehensive in scope, geared so that a community adopting said program is then in position to take a good look at its own character and condition of its physical environment; the means and measures it either has or does not have for controlling and improving said environment, thus, setting its goals for future accomplishment. It was moved by Councilmember Wood, seconded by Smith, that the City Planner be authorized and directed to prepare the program in its final form and submit same to the Department of Housing and Urban Development for purposes of certification. Roll call as follows: Ayes, 6; No, none; carried.

This letter was presented and read:

Sharp, Anderson & Bush
Attorneys at Law
June 16, 1967

Honorable Eddie Pedersen, Mayor
City of Idaho Falls, Idaho

Dear Mayor Pedersen:

As you are aware, we represent the Messrs. Warren Murphy, Homer Anderson, Donald Suckling and Robert Drexler, who are plaintiffs in an action the City of Idaho Falls and William R. Hatch relative to a change of zone of certain property on Grandview Avenue on the west side of Idaho Falls adjacent to the Interstate Highway.

You will recall that the plaintiffs in this action brought the suit in question as representatives of a great many residents and citizens of the City of Idaho Falls living in that immediate vicinity.

The Honorable Boyd Thomas, District Judge of the Ninth Judicial District of the State of Idaho, recently ruled in said action in favor of the defendants, City of Idaho Falls and William R. Hatch.

While the plaintiffs and other residents of the area still feel most strongly about the issue involved, they do recognize the fact that all persons may not view the matter as they do and further recognize that this is an extremely difficult area of decision for a governing body.

The plaintiffs in the action have asked me to write and advise you that it is their decision not to appeal from the judgment of the District Court. This decision is based on a number of factors, one of which is the additional costs and expense they would incur in pursuing such a course. They did, however, want me to advise you that they continue to feel most strongly about the situation and will object to any further changes of zone in that general area and

particularly to that property adjoining Grandview Avenue to the west of the small parcel now zoned for a service station. This property is now zoned to a Residence 3 classification permitting a great variety of uses, any of which could be compatible with, not only the adjacent property owners, but with the development of an attractive thoroughfare from the heart of the City of Idaho Falls to the Municipal Airport.

Your continued consideration of all pertinent factors involved in future development of this particular area would be appreciated.

The plaintiffs in this particular litigation, as well as the other residents of the area, are proud of the City of Idaho Falls and want to be active, conscientious citizens of this community. They stand ready to give you the benefit of their service and knowledge in whatever regard you might desire.

Sincerely yours,
s/ Eugene Bush
Sharp, Anderson & Bush

No Council action was considered necessary. The Mayor agreed to acknowledge the letter.

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

Chesbro Music Co.
June 22, 1967

Mayor Eddie Pedersen
City of Idaho Falls
Idaho Falls, Idaho

Dear Mayor Pedersen:

The spud houses along Market Street have been a real hazard this last season. Not only for their smell but from the traffic congestion they have created. The large trucks unloading and loading as well as being parked in the alley make the normal flow of traffic impossible.

Now with warm weather the smell is so offensive the customers complain. Thus it is driving them away, by the aroma and the inconvenience of parking.

They are now trying to buy more space along market street for next year. We know this as they are trying to get a warehouse we are renting.

We feel these places are just as out of place in the downtown area as the animal products or the sugar factory. As such they should be removed and not allowed to operate downtown.

With the new planning that seems to be going forward, can't you try and get these operators to discontinue this? It is real public nuisance, to say the least.

We would like to see the downtown grow and it surely will not with this kind of an atmosphere.

See you when I get back from Chicago, about July 6th.

s/ Ray Johnson
Manager

It was moved by Councilman Nelson, seconded by Parish, that this be referred to the Building and Zoning Committee for study and consideration. Roll call as follows: Ayes, 6; No, none; carried.

Still another communication was presented and read, as follows:

Chamber of Commerce
June 26, 1967

Mayor S. "Eddie" Pedersen
City of Idaho Falls
Box 220
Idaho Falls, Idaho

Dear Eddie:

In reference to the Committee of Human Rights which has been in existence for about a year now, I would like to be relieved of the responsibility of being chairman of this group.

In the initial stages we had agreed to be largely a group devoted to the attention of specific problems as they arose and were thus not bound to a regular meeting schedule or program. Presently it seems that circumstances might indicate the desirability of a more active group with regular meeting dates and a continuing program of activities. We have, as you know, had several meetings in recent months.

Quite frankly, I find that my schedule does not permit me the time needed to adequately guide a continuing action program of this kind. It needs the attention of someone who does not have the pressure of other activities in the number that my job requires. I would like to continue as a member of the committee and offer my assistance and help for the program in every possible way.

As a new chairman, I would recommend to you Mr. Harry Day or his wife Ethel or perhaps Langdon Leedy who is already a member of the committee.

Your consideration is appreciated.

Very sincerely yours,
s/ Bob Steiling
Executive Vice President

The Mayor accepted Mr. Steiling's resignation and appointed Mr. Langdon Leedy as his replacement. It was moved by Councilman Parish, seconded by Freeman, that this appointment be confirmed. Roll call as follows: Ayes, 6; No, none, carried.

ORDINANCE NO. 1190

AN ORDINANCE ADOPTING UNIFORM BUILDING CODE, VOLUME III, HOUSING 1967 EDITION, PREPARED AND PUBLISHED BY INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, AS BUILDING CODE FOR IDAHO FALLS, IDAHO; DECLARING THAT THREE COPIES OF SAID CODE, DULY CERTIFIED, ARE ON FILE IN THE OFFICE OF THE CITY CLERK; ORDERING THAT SUCH COPIES SHALL SO REMAIN ON FILE; REPEALING ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING WHEN THE ORDINANCE SHALL BECOME EFFECTIVE.

The foregoing Ordinance was presented in title. It was moved by Councilmember Wood, seconded by Smith, 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, 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.

Reference is made to Page 564 in this Book of Minutes and, more specifically, a memo from the City Clerk pertaining to a claim filed by Mr. Howard Alexander, requesting reimbursement in the amount of $141.70 for his tools and tool box inadvertently sold in error at the last City sponsored auction sale. Recognizing that the City was in error the City Attorney recommended that the claim be paid as requested from the general fund. It was moved by Councilman Parish, seconded by Wood, that this recommendation be upheld and issuance of a warrant be authorized accordingly. Roll call as follows: Ayes, 6; No, none; carried.

The City Attorney reported that the Ben Lomand suit against the City involving certain property within the 17th Street Shopping Center, has been finalized and judgment entered in favor of the City, thus vindicating the original decision by the Council. He concluded his remarks by saying that the legal time for entering an appeal had not yet expired.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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