

FEBRUARY 23, 1967

The City Council of the City of Idaho Falls met in a Recessed Regular Meeting, Thursday, February 23, 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, Parish, Freeman, Erickson, Wood, 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; William Fell, Electrical Engineer.

Minutes of the last Recessed Regular Meeting, held February 9th, 1967, were read and approved.

Recognizing the presence of Mr. Jay Casper, Superintendent, School District #91, in the Council Chambers, the Mayor asked that the first item on the Council agenda be the consideration of the Skyline High Addition plat and annexation. It was noted that the Planning Commission had recommended plat approval, subject to the School District dedicating 10 feet of additional right of way along the entire westerly boundary of their property and that their recommendation was predicated on its need for parking and pedestrian purposes. The Council noted a counter recommendation by the Engineering Department that the additional right of way is not needed for carrying traffic. The Council was inclined to agree with Engineering, inasmuch as the athletic ground is to be used primarily for practice purposes. There was also the question as to who would be responsible for street improvement. Mr. Casper said the School District, although willing to assume this obligation, can not be legally bound beyond the term of its present board members. It was moved by Councilmember Wood, seconded by Smith, that approval of this plat be temporarily tabled and that the many facets of the problem be subject to further study. Roll call as follows: Ayes, 6; No, none; carried.

The Mayor then introduced the Skyline High Addition Annexation Ordinance as follows:

ORDINANCE NO. 1177

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 (SKYLINE HIGH ADDITION)

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.

License applications for GROCERY STORE, Ralph Cowham for Safeway Stores, Inc., Wilma Voge for Wilma's Natural Foods; RESTAURANT, Ray W. Jones for Pizza Inn, Sybil Ames for Sybil's

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Café, Bus O'Connell for The Snack Bar, Jesse R. Walters for Stockyard's Café; PHOTOGRAPHER, M. Ray Longhurst for Ray's Camera-land; MOTEL, David Hand for The Falls View Motel; CLASS C JOURNEYMAN, WARM AIR HEATING & REFRIGERATION. C. M. Mays; CLASS C JOURNEYMAN, WET HEAT & GAS FITTING, Elvin R. Connell; JOURNEYMAN PLUMBER, Elvin R. Connell; JOURNEYMAN ELECTRICIAN, Dick Wheeler, Albert W. Aumick; APPRENTICE ELECTRICIAN, Darrel Edwards; BEER, CANNED, BOTTLED & DRAUGHT TO BE CONSUMED ON THE PREMISES, Ray W. Jones for Pizza Inc.; BEER, CANNED, BOTTLED TO BE CONSUMED ON THE PREMISES, Joseph C. Kempf for Kempf Hotel Rogers, David Drysdale for 19th Hole Café; BARTENDER, Marilea Armfield, Charlotte B. Smith, Larry H. Williamson, Lawrence Leavitt, William E. Hiatt, Donald H. Haught, Vernon E. Carlson, John Ransom, Arden E. Sellers, John Biebl; LIQUOR, Elmer G. Elg DBA Mint Bar, were presented. It was moved by Councilman Nelson, 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 Appropriation Ordinance was then introduced by Councilman Parish:

ORDINANCE NO.

AN ORDINANCE PROVIDING FOR THE ANNUAL APPROPRIATIONS 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 1967, AND PROVIDING THE NUMBER OF MILLS ON THE DOLLAR APPROPRIATED FOR EACH OF SAID FUNDS.

It was recognized that there is still a chance that the State Legislature may pass certain legislation favorably affecting municipal revenue. Meanwhile, it was deemed advisable to get all possible news coverage on the proposed budget. Therefore, it was moved by Councilman Parish, seconded by Wood, that this ordinance be passed on its first reading. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1178

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 (SEVENTH DAY ADVENTIST PROPERTY)

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,

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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.

Next to be presented was an annexation ordinance covering property owned by the Roman Catholic Church on the corner of 17th and Woodruff. It was noted that there has not been, to date, a recorded plat on this property, and in the absence of same, the Council had no verification nor confirmation that property right of way has been dedicated on 17th and also on Woodruff. Pending the receipt of same, for study and consideration, it was ordered by the Mayor that no action be taken on the annexation ordinance in question.

This damage claim was presented and read:

CLAIM FOR DAMAGES

TO THE CITY OF IDAHO FALLS, BONNEVILLE COUNTY, IDAHO:

NOTICE IS HEREBY GIVEN that the undersigned, KITCHEN QUEEN FOODS, INC. presents a claim for damages for the damage and destruction to stock of inventory, supplies and building on or about the 21st of January, 1967, at the Kitchen Queen Foods, Inc. premises at 502 West 16th Street. That the damage occurred by flooding when the water of Crow Creek backed up due to debris and obstructions to the culvert where Crow Creek passes under U. S. Highway 91 and 191 and by reason of the failure of the City of Idaho Falls to keep said culvert clear for the free flow of water. That the water backed up and flooded and ran into the premises of the undersigned causing the following itemized damages: 100 cardboard boxes at \$203.85 per thousand, \$20.39; 100 cardboard boxes at \$359.25 per thousand, \$35.92; 107 cardboard boxes at \$282.85 per thousand, \$30.27; 50 cans of cheese collets at \$5.00 per can, \$250.00; 12 cases of cheese puffs at \$7.02 per case. \$84.24; 600 pounds meal at \$6.36 per 100, \$38.10; 25 pounds barbecue powder 52¢ per pound, \$13.00; 100 pounds cheese powder at \$1.03 per pound, \$103.00; 600 pounds dusting powder at 3¢ per pound, \$18.00; Miscellaneous advertising material, 450.00; 4M bags at \$28.88 per M, \$115.52; 2M bags at \$16.33 per M \$32.66; 2M bags at \$28.88 per M, \$57.76; 11M bags at \$29.76 per M, \$327.36; 24M bags at \$35.47 per M, \$851.28; 1M bags at \$26.72 per M, \$26.72; 4M bags at \$26.72 per M, \$106.88; 2M bags at \$18.83 per M, \$37.66; 100 containers at 50¢ each, \$50.00; insulating materials and plaster board, \$25.00; cleaning and disinfecting 64 hours at \$1.25, \$80.00; cleaning and disinfecting 30 hours at \$1.45, \$43.50; TOTAL \$2,397.26.

That the undersigned does hereby demand payment for the damages above set forth as caused by such flooding.

DATED this 17th day of February, 1967.

Kitchen Queen Foods, Inc.
s/ Bernice Owens, Secretary

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It was moved by Councilman Parish, seconded by Freeman, that this be referred to the City Insurance Adjustor for investigation and proper handling. Roll call as follows: Ayes, 6; No, none; carried.

A Union Pacific Contract, L.D. #20476, covering a street and slope encroachment, was presented. It was moved by Councilman Nelson, seconded by Parish, that the Mayor and City Clerk be authorized to sign. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Public Works Director was presented:

City of Idaho Falls
Public Works
February 23, 1967

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: AUTHORIZATION TO ADVERTISE

The plans and specifications are now complete for the extensions of water mains on the west side in connection with Well No. 11. The estimated cost of this project is \$40,000. We are, therefore, requesting authorization to advertise March 5 and 12 and open bids at 10:00 A.M., March 14.

s/ Donald F. Lloyd, P.E.

It was moved by Councilman Nelson, seconded by Parish, that authorization be granted as recommended for the City Clerk to advertise for bids on this project. Roll call as follows: Ayes, 6; No, none; carried.

Notation was made that, by informal action of the Council, an agreement dated January 18th, 1967 was approved for the BYU-Ricks College Center to conduct an in-service class for certain City employees. It was moved by Councilman Freeman, seconded by Erickson, that this informal action be duly ratified. Roll call as follows: Ayes, 6; No, none; carried.

A final plat of Eastview Addition, Division #2, was studied. It was moved by Councilmember Smith, seconded by Wood, that the plat be approved and the Mayor and City Clerk be authorized to sign, subject to final checking by the Legal and Engineering Departments. Roll call as follows: Ayes, 6; No, none; carried.

It was moved by Councilmember Wood, seconded by Smith, that pertinent matters, such as plats to be presented before the Council, at all times be first perused and studied by the appropriate Council Committee. Roll call as follows: Ayes, 6; No, none; carried.

The Building Official, by memo, pointed out the need for two public hearings; one, by the Planning Commission for consideration of a conditional use permit for the Skyline High School and the other by the Board of Adjustments for consideration of conditional use permits for the Catholic Church on 17th Street and the Seventh Day Adventist Church in Skyline Terrace. It was moved by Councilman Freeman, seconded by Erickson, that publication of legal notices be authorized accordingly. Roll call as follows: Ayes, 6; No, none; carried.

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Also, from the Building Official several properties were brought to the attention of the Council, in need of zoning or re-zoning. It was moved by Councilmember Wood, seconded by Smith, that a public zoning hearing be conducted on March 23, 1967, and the City Clerk be authorized to publish legal notice accordingly. Roll call as follows: Ayes, 6; No, none; carried.

This communication was presented and read in full by the City Clerk:

Clark, Coleman & Rupeiks, Inc.
City & Regional Planning Consultants
February 21, 1967

Honorable Mayor Eddie Pedersen
City Hall
Idaho Falls, Idaho

Dear Mayor:

In response to your request we are submitting the following comments and tentative conclusions on the present and planned river crossing in Idaho Falls. This recommendation may assist the City and County legislators in formulating the best solution regarding the location of the proposed improvement.

The comments and tentative conclusions are limited and are based on the review of the currently available traffic engineering and land planning data. Final conclusions can only be reached upon completion of the comprehensive plan and the testing of the planned arterial streets and highways network with traffic assignment. As you know, provisions for plan testing by traffic assignment are not included in the current planning program, however, such procedures can be carried out at a later date by the State Highway Department or the City of Idaho Falls.

Normally, an evaluation of a major river crossing in an Urban area involves the determination of its economic benefit to the community. This in turn involves evaluation of future traffic volumes, comprehensive plan considerations and finance. Unfortunately we lack adequate information in all of these areas and are therefore basing our comments and tentative conclusions on broad treatment of traffic service and land development considerations.

The comments on the river crossing is limited to two alternative locations, one being the extension of 17th Street and the other being the extension of Sunnyside Road.

From the standpoint of long range planning, the Sunnyside Road would tend to encourage interaction between areas west and east of the Snake River. A logical and clear cut arterial street and highway system can be developed via the crossing on Sunnyside creating a potential for new development on presently vacant land.

One of the prime considerations in developing new arterial streets and highways is to connect such facilities with the Interstate Highway. Sunnyside Road extension has a much better chance of being tied in with the Interstate Highway than the 17th Street crossing. In view of the Bureau of Public Roads Policy and enforced recently by the national highway safety legislation, the potential interchange of the 17th Street route and the Interstate Highway at Market Street is too close to the Broadway interchange. The Bureau's policy is that such interchange points in urban areas should be a minimum of one mile apart to permit accelerating, decelerating and merging traffic to maneuver with the greatest safety.

If the municipality of Idaho Falls, were to initiate and maintain a development containment policy, the 17th Street crossing would enhance their goals. The Sunnyside Road crossing being approximately a mile south, would tend to encourage decentralization of various economic and land use activity, which is becoming a serious problem.

Traffic congestion is currently being experienced on the Broadway bridge. The 17th Street crossing will relieve traffic loads on Broadway as the Sunnyside route will do little to help the situation. The 17th Street crossing also would tend to create higher land values in presently built-up areas but would contribute relatively very little to the development of west side, unless substantial improvements are contemplated at the Interstate Highway.

Without an Interstate Highway connection, the 17th Street route would serve primarily the local oriented traffic being relatively short trips in length. The Sunnyside route would serve more and longer trips having one end outside the immediate urban development.

Without having traffic volume or construction cost data available it will be safe to assume that the river bridge in either location should contain a minimum of four twelve-foot travel lanes with sidewalks for pedestrians.

The 17th Street route tends to serve the presently developed or committed for development major traffic generators better than the Sunnyside route. The final unresolved question still is: "How to improve east-west traffic flow through Central Business District and provide continuity to the traffic movement from north to south, also in the Central Business District.

Our preliminary CBD development plans are exploring a number of alternatives of the CBD development including the area south of the downtown, which eventually will be served by one or more major facilities from north to south.

The older parts of the City especially the CBD and the periphery, must be served by improved access if they are to remain in a strong competitive position. The construction of the 17th Street bridge would provide one of the several needed improvements.

It can be concluded that within the framework of the urban development containment policy, the construction of the 17th Street crossing, followed shortly by the Sunnyside crossing will provide economic benefits to the community.

Respectfully submitted,
s/ Val Rupeiks

No Council action was considered necessary.

Reference is made to Page 519 in this Book of Minutes and, more specifically, the presentation of a non-commercial kennel license in the name of Dr. James McCue. The City Clerk reported that, according to available information and in line with the wording of the City Code, Dr. McCue would qualify for a commercial license. It was moved by Councilman Nelson, seconded by Freeman, that this matter be referred to the City Attorney for study and recommendation. Roll call as follows: Ayes, 6; No, none; carried.

The following was presented and read by the City Attorney:

RESOLUTION (Resolution No. 1967-05)

WHEREAS: The Department of Highways, State of Idaho, is now acquiring right-of-way for the extension of Highway No. 20; and some of the lands so required lie within L.I.D. #27, and the City of Idaho Falls has liens on said lands for unpaid assessments; and

WHEREAS: Seven parcels of said land, under different ownerships, have portions of each which have been declared "omitted lands" with the title vested in the United States Government; and

WHEREAS: The Department of Highways is not authorized to pay for land, or the assessments thereon, the title to which is in the United Government; and

WHEREAS: It is deemed to be in the best interests of the City and L.I.D. #27, that the City collect all of the assessments permitted by law on said lands to be taken for highway purposes;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of Idaho Falls:

(1) That the City Treasurer be, and she is hereby authorized, to accept from the Department of Highways, in full discharge of its obligation to pay the L.I.D. assessments upon taking of the said parcels of land in L.I.D. #27, a percentage of the amount of the unpaid assessments, which percentage shall be determined for each parcel by dividing the total area of the parcel assessed by the area of the portion which is in private ownership. The amount of unpaid assessment shall be computed as of the time of the taking.

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(2) That the City Treasurer be, and she is hereby authorized, upon receiving such sums from the Department of Highways to execute and deliver to it a receipt showing "Payment in Full" of the L.I.D. #27 assessments.

PASSED BY THE COUNCIL AND APPROVED BY THE MAYOR this 23rd day of February, 1967.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR

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

It was moved by Councilmember Wood, seconded by Smith, that the Ambulance Service be transferred from the Health and Welfare Council Committee to the Police and Fire Council Committee. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Erickson having been named on a Police Committee to investigate the solvency of the Police Retirement Plan as pertains to future retirement demands, asked the Mayor to schedule a special meeting of the Police Retirement Board so that a report could be submitted.

It was moved by Councilman Erickson, seconded by Freeman, that, following any and all subsequent Council Meetings, all affected Councilmen receive a memo as a reminder of unfinished business or matters referred to a Councilman. Roll call as follows: Ayes, 6; No, none; carried.

Councilman Parish, noting certain observations and comments made at the previous Council Meeting pertaining to budgeting practices and having been absent when said comments were made, reported that in 1966 the budget was under expended \$94,931 in relation to the approval appropriation ordinance and that there was \$150,541 in revenue over and above the amount budgeted; also, that all inter-departmental budget transfers had been approved by the Council and made a matter of record.

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
