

OCTOBER 6, 1966

The City Council of the City of Idaho Falls met in a Regular Meeting, October 6, 1966, 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; LaWayne Chapman, Personnel Director; William Fell, Electrical Engineer; Don Lloyd, Public Works Director.

Minutes of the last recessed Regular Meeting, held September 22, 1966, were read and approved as amended.

The Mayor announced that this was the time and the place for reconvening a portion of a previous zoning hearing for further consideration of a petition by Peter Maharas, and others, requesting rezoning from R-3A to C-1 of certain property lying west of Holmes Avenue from the alley between First and Lomax Streets to the alley between College and Whittier Streets. In this connection the City Clerk presented and read the following opinion from the City's Planning Consultant:

Clark, Coleman & Rupeiks, Inc.
City and Regional Planning
Consultants
September 27, 1966

Mayor Pedersen, City Council and City Planning Commission
City Hall
Idaho Falls, Idaho

Gentlemen and Madam:

Recently you requested our opinion on a rezone petition from R-3A to C-1 on the west side of Holmes Avenue, between First Street on the south and the Yellowstone Highway on the north.

Many points, both pro and con, have been discussed before the Planning Commission and City Council. Several factors have not been discussed or only briefly mentioned. We would like to submit some additional points for your consideration.

Of major importance is the consideration of timing as it relates to actual community development and zoning. The petition encompasses a change for five full and two half block frontages, which amounts to wholesale, strip rezoning. This petition is in partial opposition to your land use plan which designates "Apartments" between the alley south of First and Garfield. A petition of this magnitude should be also viewed in terms of the investment in time and money which the City has committed to the present planning program and the resultant Comprehensive Plan scheduled for completion in 1967. As part of the Plan we will formulate a long-range development policy based on an understanding how demand and supply of land affects zoning and subsequently the price of land.

OCTOBER 6, 1966

Second: A large part of the immediate vicinity is presently zoned for one or another of three commercial districts and some commercially zoned land is still vacant. No specific design or development commitments have been submitted and it appears that pure speculation is a prime motive rather than necessity or intense market demands. A false premises may exist that the intent of zoning is to markedly deflate or inflate the value of property; this is not true; rather the intent was to stabilize values and not make one profit especially at another's loss. The R-3A is far from a restrictive residential zone, inasmuch as it permits apartments and offices.

Third: A larger view of the area and the various pending development programs should be evaluated by the City. Granting the rezone will create a commercial ring around some residential blocks, some of which are in sound condition. Creating the small pocket will hasten blight and depreciate values, if the demand for this type of land is in-elastic. Also, granting this rezone will effect the Central Business District and right at the time when the City has expanded much effort toward the functioning of the Community Redevelopment Commission which may in the near future have assistance plans and programs for one or both of these areas. Have you, in your own minds, considered what will be the future role of CBD? Also, a program is pending for the utilization of Lomax Street as part of a one-way couplet which will undoubtedly have an effect upon the area. The Council and Planning Commission should think in terms of long-range basic development policy. This area is one of several borderline areas which could develop several ways. Should it deteriorate, improve or remain a transitional area for sometime to come?

Finally, we understand some think that any rezoning by petition for a classification shown on a land use plan must be granted immediately. This is not so, for most plans are projected for a term of twenty years and some rezoning may not be necessitated (by reason of economic, physical, or social facts) until near the end of the planning period. Keep in mind, also, that less than one-half of the area up for rezone is even indicated for commercial on your soon-to-be revised land use plan.

We hope these points aid in your consideration of the rezone petition.

Yours truly,
s/ Val Rupeiks

Mr. Vern Kidwell, Attorney for Mr. Maharas, appeared before the Council, with a reminder that the original Maharas petition had involved and included only his own property and that it was upon the advice of the Council that a new petition was prepared and submitted to incorporate more property and property owners so that the rezoning request might fall into the category of area zoning, rather than spot zoning. Mr. Kidwell continued by saying he had not seen nor studied the Rupeiks opinion and that there were many facets contained therein which would require serious study, legally. The City Attorney concurred and added that the Rupeiks report was valuable as a

guide line but, that the Council should not feel obliged to be guided exclusively by it. Mr. Kidwell said he felt it would be in the best interests of his client, notwithstanding the resultant delay, in closely analyzing the Rupeiks opinion. Councilman Nelson concurred. Councilman Wood registered an opinion that there was nothing to be gained by further delay and that most of the area referred to in Rupeiks report was already zoned commercial. Councilman Freeman said he was concerned about the fact that C-1 zoning would permit certain business operations that might prove objectionable for the district. To this Councilmember Smith agreed. Councilman Parish said that, in view of certain recommendations made by Rupeiks, the entire problem warranted further study and, therefore, he, personally, was not in a position to make a decision. It was moved by Councilman Wood, seconded by Freeman, that this rezoning matter be again recessed until the next regularly scheduled Council Meeting on October 27th, 1966. Roll call as follows: Ayes, 6; No, none; carried. Councilmember Smith requested that, in the interim period, the entire Council convene for the purpose of discussing the basic generalities of the question and, more generally, the theory and basic concepts of rezoning.

Mrs. Grace Garrett, 1550 West Broadway, appeared before the Council to discuss the surface drainage problem affecting her residence. She registered concern, inasmuch as the sidewalk and her driveway shows signs of deterioration. She recognized that this problem, had been under previous scrutiny by the City but that apparently, to date, a solution had not been discovered. Public Works Director Lloyd appeared and said his Department was aware of the problem but that the only solution known to them would be to direct the drainage water to the other side of the street. Mrs. Garrett said that, at this point, she would even agree to sandbagging as a means of diverting the water to her field. At the instruction of the Mayor, Lloyd agreed to again study the problem as a means of resolving same in one manner or another.

Mrs. Garrett then asked what the City intended to do about property needed for 17th Street right-of-way and when it was intended to materialize. More specifically, she said she owned about two acres near the Al Brown property, she had received offers on it, and she had hesitated to either develop or sell it, knowing a portion of it was involved in connection with 17th Street right-of-way. She was concerned, not only on the time element but, also, how much of the two acres would eventually be needed for this purpose. At the invitation of the Mayor, Public works Director Lloyd escorted her to his office for a complete explanation of the proposed street design.

Mrs. J. M. Parkinson, 615 11th Street, appeared before the Council and presented the following written appeal:

BEFORE THE CITY COUNCIL OF THE CITY OF IDAHO FALLS, IDAHO

In the Matter of the Petition of,) APPEAL
J. M. Parkinson for a Variance)

TO THE CITY CLERK OF THE CITY OF IDAHO FALLS, IDAHO:

Notice is hereby given by the undersigned petition of his appeal to the City Council of the City of Idaho Falls, Idaho, from that certain determination of the Board of Adjustment of the said City of Idaho Falls acting under the provisions and authority of the Zoning Ordinance

OCTOBER 6, 1966

of Idaho Falls, Idaho, said determination having been made in writing on the 21st day of September, 1966.

Appellant hereby alleges that the said Board of Adjustment erred in its determination that the request presented by petitioner and appellant was not within its authority to grant and further, in finding that the variance requested by petitioner was not reasonable and proper in the circumstances.

Dated and filed this 5th day of October, 1966.

s/ Mrs. J. M. Parkinson
Petitioner

Receipt of original and copy of the foregoing Appeal from the Board of Adjustment of Idaho Falls, Idaho, is hereby acknowledged this 5th day of October, 1966.

s/ Roy C. Barnes
City Clerk

She explained that she had presented her petition to the Board of Adjustments to add an addition to her residence at the above address which would extend 1' 4" from the property line and that petition had been accompanied by approving signatures of 14 near by residents. In answer to a question by a Councilman, it was learned that the proposed addition would be 18 feet from the closest structure next door. Mrs. Parkinson then introduced Mrs. S. H. Bennion, her next door neighbor, and Mrs. Alex Creek, her neighbor across the street, who confirmed the fact that they had no objections. It was also learned that the petition to the Board of Adjustments had been denied, only on the grounds that this was beyond their jurisdiction. It was moved by Councilmember Wood, seconded by Smith, that this variance be granted and that permission be given for the issuance of a building permit accordingly. Roll call as follows: Ayes, 6; No, none; carried.

Bills for the month of September, having been properly audited by the Fiscal Committee, were presented in caption form, to-wit:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$110,906.43	\$95,502.050	\$206,408.48
Fire Bonds	32,337.12	6,706.17	39,043.29
Water & Sewer Fund	8,593.66	33,393.24	41,986.90
Electric Light Fund	30,402.08	50,685.13	81,087.21
Recreation Fund	1,714.55	796.52	2,511.07
Police Retirement Fund	<u>2,234.42</u>	<u>.00</u>	<u>2,234.42</u>
<u>TOTAL FUNDS</u>	<u>\$186,188.26</u>	<u>\$187,083.11</u>	<u>\$373,271.37</u>

OCTOBER 6, 1966

It was moved by Councilman Wood, seconded by Erickson, that the bills be approved 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 were presented from Division and Department Heads for the month of September and, there being no objection were ordered placed on file in the office of the City Clerk.

License applications for JOURNEYMAN ELECTRICIAN, Curtis Walter; APPRENTICE ELECTRICIAN, Gary Oakey, Grant Carlson; CLASS D CONTRACTOR (GAS FITTING, VENTING) Ray Goyen; CLASS D JOURNEYMAN (WARM AIR HEATING) Ivan Byington, John W. Baxter; APPRENTICE GAS FITTER, Dale McBride; DANCE HALL, Bon Villa Club; GROCERY STORE AND BEER (TRANSFER) from Jay's Mite-E-Mart to Mite-E-Mart by Duane Browning; CAB DRIVER, Warren Miles; BARTENDER, Leonard H. Fry, William B. Johnson, Bert Holverson, Herbert Lehman, Opal Elg; LIQUOR (SIX MONTHS) Sybil O'Toole for White Horse Bar, were presented. It was moved by Councilman Freeman, seconded by Erickson, 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 damage claim was presented and read:

NOTICE OF CLAIM FOR DAMAGES

TO: The City of Idaho Falls
State of Idaho

PLEASE TAKE NOTICE, that in accordance with the provisions of Section 50-162 of the Idaho Code and Section 1-13-2 of the Municipal Code of the City of Idaho Falls, Idaho, we, Otto J. Gauer and Bernice Gauer, husband and wife, do hereby present you with our claims for damages against the City of Idaho Falls, with the information required to be given under said Sections as follows:

1. That the accident for which we claim damages against the City of Idaho Falls, occurred on September 2, 1966, at approximately 9:30 o'clock P.M.
2. That the place of the accident was on Mercury Avenue, approximately 250 feet west of the intersection of Mercury Avenue and Lindsay Boulevard, in the City of Idaho Falls, State of Idaho.
3. That the character and nature of the damages suffered by us are as follows:

Automobile Damages

Damage to our 1964 Chevrolet Impala Sedan in the amount of \$325.10, being the reasonable cost of repairs.

Personal Injuries

Bernice Gauer suffered a flexion extension injury to the muscle and soft tissue in her neck and is presently undergoing medical treatment for this injury. The full extent of this injury, the medical expenses incident to this injury, and the general damages caused by such injury are still indeterminate, inasmuch as treatment of the injury is not yet complete.

4. The cause of the damages and facts connected therewith are as follows:

We were driving our automobile at approximately 15 to 20 miles per hour in a westerly direction on Mercury Avenue at approximately 9:30 o'clock P.M. At a point approximately 250 west of the intersection of Mercury Avenue and Lindsay Boulevard, the street was under repair and a depression or sunken ditch had been left in the road immediately adjacent to a raised sewer manhole which had been left standing approximately 6 to 8 inches above the level of the roadway. There were no flares, signs or warning lights indicating the defects in the roadway or the dangers attendant thereto, and our car hit the depression and then the exposed manhole causing it to come to an immediate stop and throwing Bernice Gauer into the windshield of the vehicle.

5. The amount of damages which we can claim by reason of this accident is indeterminate at this time inasmuch as Bernice Gauer is presently undergoing treatment for the injuries suffered to her neck and we have no way of estimating the possible success for this treatment; however, we have incurred expenses for automobile repair and medical treatment and face the possibility of future disability. Therefore, for the purpose of this claim and for the purpose of satisfying the applicable section of the Idaho Code and the Municipal Code of the City of Idaho Falls, we do estimate that our damages for automobile repair are the sum of \$324.10 and that our damages resulting from the injury to the neck of Bernice Gauer will be the sum of \$10,000.00.

Dated this 30th day of Sept. 1966
s/ Otto J. Gauer
s/ Bernice Gauer

Holden, Holden & Kidwell
Attorneys for Claimants
Idaho First National Bank Building
Idaho Falls, Idaho

STATE OF IDAHO)
) ss.
County of Bonneville)

OCTOBER 6, 1966

Otto J. Gauer, being first duly sworn, deposes and says: that he is one of the claimants in the above entitled matter; that he has read the above and foregoing Notice of Claim for injuries and knows the contents thereof, and that he believes the facts therein stated to be true.

s/ Otto J. Gauer

SUBSCRIBED AND SWORN to before me this 30th day of September, 1966.

s/ Dorothy Grimmett
Notary Public for Idaho
Residing at Idaho Falls, Idaho

My Commission Expires: May 19, 1969

STATE OF IDAHO)
) ss.
County of Bonneville)

BERNICE GAUER, being first duly sworn, deposes and says that she is one of the claimants in the above entitled matter, that she has read the above and foregoing Notice of Claim for Injuries and knows the contents thereof, and that she believed the facts therein stated to be true.

s/ Bernice Gauer

SUBSCRIBED AND SWORN to before me this 30th day of September, 1966.

s/ Dorothy Grimmett
Notary Public for Idaho
Residing at Idaho Falls, Idaho

My Commission Expires: May 10, 1969

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

Two redemption tax deeds were presented in the name of Max Nadauld, accompanied by appropriate resolution as follows:

RESOLUTION (Resolution No. 1966-11)

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,

OCTOBER 6, 1966

recorded as Microfilm No. 361142, records of Bonneville County, Idaho acquire title to and possession of the following described real property, to-wit:

Beginning at a point that is South 89° 31' 30" East 546.61 feet and North 0° 28' 30" East 20 feet from the Southwest Corner of Section 8, Township 2 North, Range 38, East of the Boise Meridian, running thence North 19° 31' 30" East 212.2 feet, thence South 89° 31' 30" East, 100 feet, thence South 19° 31' 30" West 212.2 feet, thence North 89° 31' 30" West 100 feet to the point of beginning.

WHEREAS, W. Max Nadauld 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 W. Max Nadauld a deed to said property pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 6th day of October, 1966.

APPROVED BY THE MAYOR this 6th day of October, 1966.

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

R E S O L U T I O N (Resolution No. 1966-12)

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 6th day of October, 1965, recorded as Microfilm No. 355286, records of Bonneville County, Idaho, acquire title to and possession of the following described real property, to-wit:

Beginning at a point that is South 89° 31' 30" East 546.61 feet, and North 0° 28' 30" East 20 feet from the Southwest Corner of Section 8, Township 2 North, Range 38, East of the Boise Meridian, running thence North 19° 31' 30" East 212.2 feet; thence South 89° 31' 30" East 100 feet, thence South 19° 31' 30" West 212.2 feet, thence North 89° 31' 30" West 100 feet to the point of beginning.

OCTOBER 6, 1966

WHEREAS, W. MAX NADAULD 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 W. Max Nadauld a deed to said property, pursuant to the provisions of Section 50-2951, Idaho Code.

PASSED BY THE COUNCIL this 6th day of October, 1966.

APPROVED BY THE MAYOR this 6th day of October, 1966.

s/ S. Eddie Pedersen
MAYOR

ATTEST: s/ Roy C. Barnes
CITY CLERK

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

This communication from the Director of the Idaho Legislative Council was presented and read:

Idaho Legislative Council
September 27, 1966

Mayor Eddie Pedersen
City Hall
Idaho Falls, Idaho

Dear Mayor Pedersen:

Within the last year and a half, the Legislative Council Committee on Municipal Code has had the responsibility of re-codifying and revising Title 50, Idaho Code, relating to cities. While the Committee has had the benefit of the Legislative Council staff and Mr. Ed Simmerman, Executive Director of the Association of Idaho Cities, the Committee has found it necessary to elicit the aid and assistance of various City Officials throughout the State.

OCTOBER 6, 1966

The Committee wishes to give special recognition to Mr. Luther Jenkins and Mr. Art Smith. Each has made a special effort to aid the Committee in proposing a workable Code. The Committee thought that you would appreciate knowing that their special efforts have been made and favorably received by the Committee.

Very truly yours,
s/ Myran H. Schlechte
Director

No Council action was considered necessary.

Another communication was presented, as follows:

Idaho State University
Pocatello, Idaho
September 28, 1966

Mr. Donald F. Lloyd, P.E.
Director of Public Works
City of Idaho Falls, Idaho

Dear Mr. Lloyd:

The Department of Architecture, Idaho State University, has accepted the Industrial Park Project, proposed by your Mayor, as a student project. The planning for this development will be performed by the fifth year design class under my instruction and direct supervision. It is understood that this must be handled simply as a student project in which the students benefit from dealings with a live client and your City is provided with a concept in drawings and model form as to how this could possibly be developed.

As such, there are no direct or professional charges made to your City. However, there are certain equipment and subsistence expenses which are necessary for such a project and such expenses must be financed by your City and not the students. Such was agreed upon with your Mayor during our initial discussions of this project on 26 September 1966. It is anticipated that the total cost for the above mentioned expenses will be approximately \$375.00, broken down as follows:

A.	Materials for presentation and photography work	\$ 75.00
B.	Materials for a table scale model.	250.00
C.	Subsistence and incidentals	50.00

OCTOBER 6, 1966

It is requested that the money be made available by the first week in October, payable to myself, in order to facilitate easy access. Upon completion of the project, a total receipt breakdown of expenses will be presented to your City.

Sincerely,
s/ R. P. Fasolino
Assistant Professor
Department of Architecture

It was moved by Councilmember Wood, seconded by Smith, that payment be granted subject to final approval by the City Attorney to determine the legality of making payment, as requested in the letter, directly to Mr. Fasolino. Roll call as follows: Ayes, 6; No, none; carried.

Finally, in the order of communications, this letter was presented and read:

Idaho Falls Public Library
Idaho Falls, Idaho
October 5, 1966

Mayor Eddie Pedersen and
Members of the City Council
Idaho Falls, Idaho

Dear Sirs:

As you are all aware, your Library Board has, for an extended time, been engaged in a search for the best means to arrive at an expansion of City library facilities.

It is our unanimous recommendation, after consideration of a great many proposals, that:

1. The City exercise its option to purchase the property adjoining the present library to the north, the White Star Laundry property.
2. The City acquire title to the property now owned by the Masonic Lodge.
3. The Library at present offers no parking facilities for personnel or patrons. The Library Board recommends a study of this situation by the City looking forward to compliance with current parking requirements. The Board suggests a possible parking facility addition through the acquisition by purchase of residence property on the north of the half block adjoining the Library to the east.

OCTOBER 6, 1966

It is the Library Board's purpose to proceed with plans leading to the construction of an addition to the present library building on the north, conforming to the present library's architectural features.

Because of the urgent need for expanded floor space for Library operation, your Board respectfully suggests immediate consideration of these recommendations.

Respectfully submitted,
s/ Aden Hyde
Chairman

It was generally agreed that this proposal and recommendation would require a complete study to determine the availability of funds. It was moved by Councilman Freeman, seconded by Erickson, that, meanwhile, this be referred to the Finance and the Building and Zoning Committees for further consideration. Roll call as follows: Ayes, 6; No, none; carried.

This memo from the Personnel Director was presented and studied:

City of Idaho Falls
Personnel Director
October 6, 1966

MEMORANDUM

TO: Mayor S. Eddie Pedersen, City Councilmembers
FROM: LaWayne Chapman, Personnel Officer
SUBJECT: MRS. DOROTHY HICKEY

As you will recall, prior to the regular retirement date of May 1st for Mrs. Hickey the Council took official action on requesting the Public Employee Retirement System for a postponement of Mrs. Hickey's retirement until December 31, 1966.

We have received communication from the Retirement System advising us that request for additional postponement for Mrs. Hickey should be made at least 60 days prior to December 31st.

Since we do not have a replacement and since it is not likely that we would have such a replacement and properly trained prior to December 31st, it would appear that we should file such a request with the Retirement Board at this time asking that Mrs. Hickey's retirement be postponed further.

OCTOBER 6, 1966

Since it is not mandatory that employment be extended for the full period of postponement (in other words she could be retired at any time in between) I would suggest that such request be made through the period December 31, 1967.

Your consideration for Council action at this time would be appreciated.

s/ Chappy

It was moved by Councilman Parish, seconded by Wood, that Mrs. Hinckly's retirement again be deferred and that a request be made from the Retirement Board that she be permitted to remain employed until December 31, 1967. Roll call as follows: Ayes, 6; No, none; carried.

Presented by the City Clerk was this letter of recommendation from Architect Harold Collard:

Harold E. Collard
Architect A.I.A.
755 Ninth Street
Idaho Falls, Idaho

October 5, 1966

Honorable Mayor and City Council
City of Idaho Falls
P.O. Box 220
Idaho Falls, Idaho

Gentlemen:

On September 2, 1966, bids were opened for Phase 2 of Well No. 11. The work bid under this project includes furnishing and installing of pumping equipment and electric controls. Results of the bidding are tabulated on the enclosed sheet.

We have reviewed all bids and it is my recommendation that a contract in the amount of Ninety-one Thousand Five Hundred and Eighteen Dollars (\$91,518.00) be awarded to Interstate Electric Company, Inc. of Salt Lake City, Utah.

Yours truly,
s/ Howard E. Collard

This was accompanied by the following memo:

City of Idaho Falls
Public Works
October 6, 1966

OCTOBER 6, 1966

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: WELL NO. 11, JOSSIE HUGHES ADDITION

Please be advised that the City Engineer and myself have discussed this bid tabulation with the architect and concur with his recommendations.

Respectfully submitted,
s/ Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Parish, that the low bid be accepted as recommended, subject to confirmation and final approval by the City Attorney and the Mayor after studying the budget and, more specifically, the water and sewer fund to determine that adequate funds are available for the awarding of the contract. Roll call as follows: Ayes, 6; No, none; carried.

ORDINANCE NO. 1174

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 (HOMER COMMERCIAL ADDITION)

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

The City Clerk submitted the following report:

City of Idaho Falls
Office of the City Clerk
October 6, 1966

To the Honorable Mayor and Councilmembers
Idaho Falls, Idaho

OCTOBER 6, 1966

The purpose of this memo is to report on the City auction sale, conducted as advertised September 24th, 1966. There was a large, enthusiastic crowd in attendance. All items were disposed of.

Receipts collected were as follows: Miscellaneous, \$171.23; bicycles, \$332.43; cars, \$540.30; for a total of \$1043.96.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

No Council action was considered necessary.

Also from the City Clerk this memo was submitted:

City of Idaho Falls
Office of the City Clerk
October 6, 1966

To the Honorable Mayor and Councilmembers:
Idaho Falls, Idaho

Attached is a revised plat of the North Part Section, Rosehill Cemetery, reflecting certain roads which have been reseeded into grass, platted into blocks and are now ready to be offered for sale as burial spaces. This will provide approximately 520 additional burial spaces.

The purpose of this memo is to request Council approval and adoption of this plat to be filed and placed on record in the office of the City Clerk and to authorize the sale of burial spaces in all newly reseeded areas as indicated, except for Lots 6, 7, 8, Block 43, and Lots 15, 16, 17, 18, 19, 20, 21, Block 28.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

It was moved by Councilman Freeman, seconded by Nelson, that the plat be accepted and adopted, that, it be ordered placed on file in the office of the City Clerk and that the sale of burial spaces in the newly seeded areas be authorized with the exceptions as stated. Roll call as follows: Ayes, 6; No, none; carried.

The City Clerk read the following letter:

October 6, 1966

Mayor and City Council
Idaho Falls, Idaho

OCTOBER 6, 1966

Gentlemen:

I am directing this letter to your attention as a written request for a water connection and electric power connection.

I propose to construct a home yet this fall, weather permitting, on the corner of Sunnyside Road and South Boulevard. The specific property is just outside the City limits lying directly south of Hughes Subdivision. I am advised by the Public Works Department that a water connection is immediately adjacent to the property. In addition, I proposed to construct a home utilizing all electric heat and would prefer to use a connection to the City system.

I understand that connections of this sort have been made in the past under a special contract calling for specified rates and subject to the City being able to provide water and power for City use.

Very truly yours,
s/ Renold Marcon
2300 South Boulevard

The question was raised as to whether or not the request was to be limited to one service connection for utilities and electric service, or over a period of time, more than one. Councilman Parish registered an opinion that, if the request were granted, it must be understood that, ultimately, it be limited to Mr. Marcon's residence. It was moved by Councilman Nelson, seconded by Freeman, that no action be taken this night, that it be tabled for further study until the next Council Meeting and that, meanwhile the matter be referred to the Building and the Public Works Committees. 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. Carried.

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
