

SEPTEMBER 8, 1966

The City Council of the City of Idaho Falls met in Recessed Regular Meeting, September 8, 1966, at 7:30 p.m. in the Council Chambers at Idaho Falls, Idaho. There were present at said Meeting: Mayor ProTem Jim Freeman, Councilmembers Smith, Wood, Nelson. Absent: Mayor S. Eddie Pedersen, Councilmen Erickson, Parish. Also present: Roy C. Barnes, City Clerk; Arthur Smith, City Attorney; Robert Pollock, Police Chief; Don Lloyd, Public Works Director; William Fell, Electrical Engineer.

Minutes of the last Recessed Regular Meeting held August 25th, 1966, were read and approved.

The Mayor ProTem, acknowledging a representative group in the Council Chambers from two P.T.A. organizations, asked the City Clerk to present and read the following memo from the Traffic Safety Committee:

City of Idaho Falls
Office of Police Division
September 8, 1966

TO: Honorable Mayor and City Council
FROM: Traffic Safety Committee
SUBJECT: RECOMMENDATION FOR CROSSING GUARD

It is recommended by this Committee that authorization be granted for the Police Department to hire one adult crossing guard to assist the school children crossing First Street attending Bel-Aire School.

The crosswalk is to be painted across First Street after action by the School Board on location of their easement and the construction of the walkway from the school grounds to First Street.

Your consideration will be appreciated.

Respectfully submitted,
s/ Robert D. Pollock, Chairman
Traffic Safety Committee

Police Chief Pollock then appeared and explained that, although admittedly difficult to find a competent person to act in this capacity because of the split hours, it would be less expensive to hire an adult crossing guard than to install an appropriate traffic light.

Mrs. June Clayton, 885 Maplewood, appeared before the Council to announce that, through her P.T.A. group, a woman had been located who would accept the position of a crossing guard for the location in question and asked for the privilege of having her interviewed and her application considered, to which the Police Chief agreed. Councilman Nelson asked if other crossing guards were presently employed by the City and was answered in the negative. He then asked about the possibility that perhaps other political subdivisions, such as the County and the School District might have a responsibility in this regard. Pollock agreed that, in his opinion, this is a problem in which the

responsibility should be shared with the School District. Councilmember Smith announced that she had learned just this day that the School District does have an interest and was willing to have their representatives attend a joint meeting on the subject and that such a meeting had been scheduled for Wednesday of next week. Mr. Ned Clayton, 885 Maplewood Drive, appeared to say that such a meeting is ideal to determine and resolve long term planning on the problem but registered concern about the children's protection in the interim period. Mr. Clayton was assured by the Mayor ProTem and the Police Chief that some manner of protection by the Police Department at this location would be temporarily provided.

Mr. Thomas J. Wadsworth, 256 3rd Street, then appeared before the Council as President of the Emerson P.T.A. and outlined a three point corrective program for the safety of children attending Emerson School, as follows: A stop light at First and Higbee; A crossing guard at 5th and Holmes; and, finally, construction of a sidewalk along the park on John Adams, immediately across the street north of the Civic Auditorium. Pertaining to the suggested stop light on First Street, Wadsworth said he had checked with nearby merchants and they registered no protest. Mrs. R. L. Arave, 339 Gladstone, appeared, particularly to urge installation of the traffic light to slow traffic.

City Engineer Laird appeared to say that engineering-wise and safety-wise, a traffic light at First and Emerson would be more appropriate. Mrs. Hal Davis, 875 John Adams Parkway, appeared to say that she had previously approached the School District on the subject of a sidewalk on John Adams and had been told that the agency could not participate in such a project, under the law. Mr. Robert Flood, 480 3rd Street, appeared to urge a male instead of a female crossing guard on the grounds that a man in that capacity would command more authority. In the absence of further comment, it was moved by Councilmember Smith, seconded by Nelson, that the problem in question be recessed until the above mentioned joint meeting, that all interested citizens were invited to attend and that, otherwise, said problem be referred to the Traffic Safety Committee and the appropriate Council Committee for continued use. Roll call as follows: Ayes, 4; No, none; carried.

Mrs. Charles Ragland, 101 North Placer Avenue, appeared before the Council and presented the following petition, signed by all affected and interested persons:

PETITION

The following signed property owners hereby petition the City Council to have the alley paved in the area of Block 43, Original Townsite, covering lots on the west side 1 through 6 and lots on the east side 7 through 12.

City Attorney Smith explained to Mrs. Ragland that this improvement could be accomplished without the formality and additional expense of creating a Local Improvement District if all affected parties were to deposit cash with the City in direct proportion to their property holdings and that the alley would then be paved according to City requirements and specifications. Mrs. Ragland said she understood this but that all property owners were not in a position to proceed on this basis. Therefore, she favored its inclusion in the next paving district. It was moved by Councilmember Nelson, seconded by Smith, that this petition be made a matter of record and that the alley in

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question be included for consideration at the time the next local improvement district is created. Roll call as follows: Ayes, 4; No, none; carried.

Bills for the month of August, 1966, having been properly audited by the Finance Committee, were presented in caption form, as follows:

<u>FUND</u>	<u>GROSS PAYROLL</u>	<u>SERVICES & MATERIALS</u>	<u>TOTAL EXPENDITURES</u>
General Fund	\$114,372.20	\$106,190.60	\$220,562.80
Fire Bonds	29,889.52	3,634.83	33,524.35
Water & Sewer Fund	9,130.36	20,648.85	29,779.21
Electric Light Fund	30,262.10	54,431.28	84,693.38
Recreation Fund	10,228.17	1,994.35	12,222.52
Police Retirement Fund	<u>2,234.44</u>	<u>.00</u>	<u>2,234.44</u>
<u>TOTAL FUNDS</u>	<u>\$196,116.79</u>	<u>\$186,899.91</u>	<u>\$383,016.70</u>

It was moved by Councilman Wood, seconded by Nelson, that the bills be approved and the Controller be authorized to draw warrants on the respective funds for their payment. Roll call as follows: Ayes, 4; No, none; carried.

Reports from Division and Department Heads for the month of August were presented and, there being no objection, were ordered placed on file in the Office of the City Clerk.

The City Clerk presented a second hand store license renewal application in the name of Altha Ruppert, 281 Elm Street. Councilman Wood drew attention to the fact that this commercial activity is not permitted in an R-3A zone unless it could be construed as a home occupation. City Attorney Smith advised that certain limited commercial activity is permitted within the home but that there must be no advertising on the premises, neither can there be any visible merchandise for sale. It was moved by Councilman Nelson, seconded by Wood, that this license be granted, subject to the applicant complying with all the provisions of the home occupation section of the Zoning Ordinance and, otherwise, subject to the approval of the Building Official and the Building and Zoning Committee. Roll call as follows: Ayes, 4; No, none; carried.

License applications for ROOMING HOUSE, Tex McNeill for New Porter Hotel; JOURNEYMAN ELECTRICIAN, Neal Pifer; TAXI CAB DRIVER, Robert M. Hill, were presented. It was moved by Councilmember Smith, seconded by Wood, that these licenses be granted, subject to the approval of the appropriate Division Director, where required. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the Purchasing Department was presented and read:

City of Idaho Falls
Office of the Purchasing Agent
September 7, 1966

Resurfacing Four (4) Tennis Courts

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Honorable Mayor and Councilmembers:

The Purchasing Department and Parks Department request approval to advertise for bids for resurfacing four (4) tennis courts at 7th and Wabash. This project is included in the 1966 Budget.

s/ W. J. Skow
Purchasing Department

It was moved by Councilmember Nelson, seconded by Smith, that advertisement for bids be approved as recommended. Roll call as follows: Ayes, 4; No, none; carried.

Next, from the Purchasing Department, the following was submitted:

City of Idaho Falls
Office of the Purchasing Agent
September 8, 1966

Painting Recreation Building

Honorable Mayor and Councilmembers:

The Purchasing Department and the Parks and Recreation Department request approval to advertise for bids for labor and material for repairing stucco cracks, sealing and painting of Parks and Recreation Building on B Street and Memorial Drive.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Nelson, seconded by Wood, that advertisement for bids be authorized for the work as described. Roll call as follows: Ayes, 4; No, none; carried.

Finally, from the Purchasing Department, this memo was studied:

City of Idaho Falls
Office of the Purchasing Agent
September 8, 1966

One (1) Comfort Station Septic Tank

Honorable Mayor and Councilmembers:

Tabulation of bids for furnishing one (1) comfort station, septic tank and drain field is attached.

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Evaluation of bids received show Clark Brothers Construction Company of Idaho Falls submitting the low bid for the comfort station \$3347.00, septic tank \$150.00, and canceling the drain field. The Parks Department recommends the drain field to be constructed by the Water and Sewer Department. \$3500.00 is in the 1966 Budget for this project.

It is the recommendation of the Parks Department and the Purchasing Department that the low bid be accepted.

This recommendation subject to your approval.

s/ W. J. Skow
Purchasing Department

It was moved by Councilman Nelson, seconded by Wood, that the low bid be accepted as recommended and that the drain field be deleted from the project and constructed by the Water and Sewer Department. Roll call as follows: Ayes, 4; No, none; carried.

This memo from the Public Works Director was submitted:

City of Idaho Falls
Public Works
September 8, 1966

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: GARBAGE RATES

Attached hereto find a proposed new schedule of monthly garbage rates for commercial and industrial accounts. The shaded areas on this schedule indicate the changes we wish to recommend in the Code. Since the Ordinance was adopted in 1964, we have found it advantageous to add 1 ½ C.Y. containers to the system, hence the necessity for additional rate schedule.

The \$25.00 rate was obviously a typographical error which was not previously detected.

The suggested change from \$1.00 to \$1.45 is to achieve consistency with the existing residential minimum rate. This charge would also apply to churches and offices as outlined in Section 8-5-20.

Because of these desirable changes, we are recommending that the Mayor and Council authorized the City Attorney to prepare a draft for amending this Ordinance.

s/ Donald F. Lloyd

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It was noted that the suggested revisions, in garbage rates be limited to \$1.45 from \$1.00 for all minimum commercial and industrial accounts including churches and offices; that a 3 cubic yard container rate with five pick ups a week be changed from \$25.00 to \$26.00; that a rate be added for 1 ½ cubic yard containers as follows: one pick up a week, \$9.00; two pickups, \$12.00; three pickups, \$15.00; four pickups, \$18.00; five pickups, \$21.00; six pickups, \$24.00. It was moved by Councilmember Nelson, seconded by Smith, that this be referred to the City Attorney with instructions to prepare an amending ordinance accordingly. Roll call as follows: Councilmember Smith, Aye, Nelson, Aye, Freeman, Aye, Wood, No, carried.

Another memo from the Public Works Director was submitted, as follows:

City of Idaho Falls
Public Works
September 8, 1966

TO: Honorable Mayor and City Council
FROM: Donald F. Lloyd
SUBJECT: REVIEW OF WATER ORDINANCES

For some time our City Clerk and myself have been aware of inadequacies of the existing Water Ordinance. We are particularly concerned at this time with inadequacies in minimum water rates. We are recommending that the Mayor and Council authorize the City Attorney to draft for your review an amendment to the Water Ordinance in order to correct some of the glaring deficiencies.

It is expected that the City Clerk and Public Works Director will work closely with the City Attorney.

s/ Don
Donald F. Lloyd

It was moved by Councilman Nelson, seconded by Wood, that the City Clerk, the Public Works Director, and the City Attorney be authorized to proceed as suggested. Roll call as follows: Ayes, 4; No, none; carried.

From the Police Chief this memo was submitted and read:

City of Idaho Falls
Office of the Police Division
August 30, 1966

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: Office of the Chief of Police
SUBJECT: AUTHORIZATION FOR PURCHASING TO LET BIDS

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It is requested that Purchasing be authorized to let bids on the lease of eight (8) four door sedans to be used by the Police Department for the year 1967.

It is suggested that the specifications of the cars to be furnished be the same as those on lease this year.

These eight (8) vehicles are to replace eight (8) on lease currently.

Your consideration will be appreciated.

Respectfully submitted,
s/ Robert D. Pollock
Chief of Police

It was moved by Councilmember Smith, seconded by Wood, that bids be advertised on the lease cars as described. Roll call as follows: Ayes, 4; No, none; carried.

Next, from the Police Chief, acting in the capacity of Chairman of the Traffic Safety Committee, this memo was presented:

City of Idaho Falls
Police Division
September 8, 1966

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: Traffic Safety Committee
SUBJECT: SIGNING OF RAILROAD PARKING LOT

It is recommended that Engineering be authorized to adequately sign the parking lot located between the railroad tracks and Yellowstone Avenue and Broadway to "C" Street, as per Engineer's drawing submitted.

Your consideration will be appreciated.

Respectfully submitted,
s/ Robert D. Pollock
Traffic Safety Committee

A sketch of the parking lot was studied. The Police Chief and the City Engineer explained that, primarily, it was hoped to accomplish three objectives: one way northbound traffic in the portion of the parking lot between Broadway and "A" Street; all cars on the railroad track side of the lot to park facing Yellowstone; and finally, restrict cars from parking in entrances and exists. It was moved

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by Councilmember Smith, seconded by Wood, that signing of the parking lot in question be authorized as recommended. Roll call as follows: Ayes, 4; No, none; carried.

Finally, from the Traffic Safety Committee, a memo pertaining to the installation of certain stop signs was presented, as follows:

City of Idaho Falls
Office of the Police Division
September 8, 1966

TO: Honorable Mayor and City Council, City of Idaho Falls
FROM: City Traffic Safety Committee
SUBJECT: INSTALLATION OF NEW STOP SIGNS

It is recommended that Engineering be authorized to install stop signs at the intersections of Kearney and Woodruff and at Garfield and Woodruff, with Kearney and Garfield being the STOP Streets.

Your consideration will be appreciated.

Respectfully submitted,
s/ Robert D. Pollock
Traffic Safety Committee

It was moved by Councilmember Smith, seconded by Wood, that stop signs be installed at the intersections as recommended. Roll call as follows: Ayes, 4; No, none; carried.

From the City Clerk, this memo was presented and read:

City of Idaho Falls
Office of the City Clerk

To the Honorable Mayor and City Council
Idaho Falls, Idaho

The Police Department has advised that there is a sufficient number of impounded or unclaimed automobiles and bicycles to warrant an auction sale.

The purpose of this memo is to request Council authorization to conduct an auction sale at 2:00 P.M., Saturday, September 24th, and also City Clerk's authorization to advertise accordingly.

Respectfully submitted,
s/ Roy C. Barnes
City Clerk

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It was moved by Councilmember Nelson, seconded by Smith, that authorization be granted to conduct an auction sale on the date as recommended, and also, to advertise accordingly. Roll call as follows: Ayes, 4; No, none; carried.

In connection with the foregoing auction sale, Councilman Nelson, being aware of a recent list of personal property declared surplus by the Public Works Division, asked if disposition of said property had been accomplished and was answered in the negative, to the best of knowledge of any one present. Nelson instructed the City Clerk to be responsible for its disposition, either through the auction sale or otherwise.

Councilmember Wood reintroduced the subject of a fence on the John Elliott residential property at 1604 Cranmer Avenue. He noted that this matter had, on previous occasions, been brought to the attention of the City Council, the Board of Adjustments, and the Planning Commission and that all of these governing or advisory bodies were in unity and agreement that the fence constituted a violation of the Code. Wood noted, further, that Mr. Elliott had received a letter from the Building Official dated July 28th, 1966, giving Mr. Elliott thirty days to correct the violation but that, to date, no corrective action had been taken. It was moved by Councilmember Wood, seconded by Smith, that the City Attorney be directed and instructed to take necessary action to enforce compliance. Roll call as follows: Ayes, 4; No, none; carried.

The City Attorney presented the following Conditional Release:

CONDITIONAL RELEASE

WHEREAS, on or about the 17th day of July, 1966, DARLENE B. RIGOULOT was operating a motor vehicle, which vehicle was the community property of herself and her spouse HERBERT H. RIGOULOT, in the City of Idaho Falls, Idaho and on said date collided with a 1965 Ford pickup owned by FLORENCE E. ROBINSON, 201 12th Street, Idaho Falls, Idaho and operated at such time by KENNETH PRIEST, Route 2, Box 98, Idaho Falls, and

WHEREAS, as a result of said collision the Robinson vehicle was damaged in the amount of \$717.20; the driver, Kenneth J. Priest, received injuries requiring medical treatment in a total amount of \$74.81; and a fire hydrant owned by the City of Idaho Falls, was damaged in the amount of \$212.00, and

WHEREAS, the said Darlene B. Rigoulot and Herbert H. Rigoulot have executed a note in favor of the NORTHWESTERN MUTUAL INSURANCE COMPANY, of Denver, Colorado, which company was at such time the insurance carrier of Florence E. Robinson, in the amount of \$792.01, the proceeds of which are to be distributed to the said Florence E. Robinson, Kenneth J. Priest, and the Northwestern Mutual Insurance Company as their interests appear, the said principal, together with interest thereon at 6% per annum, to be retired at the rate of \$15.00 per month, commencing September 20, 1966, and

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WHEREAS, the said City of Idaho Falls, Florence E. Robinson, Kenneth J. Priest, and the Northwestern Mutual Insurance Company have acknowledged by acceptance of the above mentioned promissory notes and do acknowledge herewith that the amounts of said notes represent the total liability of the said Darlene B. Rigoulot and Herbert H. Rigoulot for all claims, demands, damages, actions and causes of actions on accounting of damage to property, bodily injuries or death resulting or to result by reason of said collision.

NOW THEREFORE, the undersigned parties do hereby release and discharge the said Darlene B. Rigoulot and Herbert H. Rigoulot of and from such claims, demands, damages, and actions resulting or to result from such collision, PROVIDED HOWEVER, that said release shall extend to only those amounts which have been actually paid or which shall be paid on the principal of the abovementioned promissory notes, and PROVIDED FURTHER, that whereas this release is intended to satisfy the requirements of I. C. 49-1506(d), this release for such purpose shall be conditioned upon the said Darlene B. Rigoulot and Herbert H. Rigoulot making the payments on said notes timely as the same shall fall due.

IN WITNESS WHEREOF we have hereunto set our hands and seals this _____ day of September, 1966.

KENNETH J. PRIEST

FLORENCE E. ROBINSON

NORTHWESTERN MUTUAL INSURANCE CO.
By _____

CITY OF IDAHO FALLS
By s/ S. Eddie Pedersen

Mr. Smith explained that City property damage was in the amount of \$212.00. He said that, under the Safety Responsibility Act, this conditional release must be signed before Mr. Rigoulot would again be permitted to drive. It was moved by Councilman Wood, seconded by Nelson, that the Mayor be authorized to sign on behalf of the City of Idaho Falls, subject and contingent on Mr. Rigoulot signing an appropriate promissory note in favor of the City in the amount as stated. Roll call as follows: Ayes, 4; No, none; carried. It was explained by the City Attorney and generally understood that said conditional release could be revoked at any time Mr. Rigoulot failed to make payments as stipulated.

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

ATTEST: s/ Roy C. Barnes
CITY CLERK

s/ S. Eddie Pedersen
MAYOR
